1. Development Data

1.31 ACRES

TAX PARCEL NO: 171-043-19; 171-043-18; 171-043-20 &171-043-24

EXISTING ZONING: R-4 and O-2

EXISTING USE: Office/SF Residential

PROPOSED USE: Mixed Use Development proposed to include up to 8 Attached Dwelling Units ("Townhomes"), 3 levels of structured parking (ground plus two) and up to a 5 story building ("Building") on Park Road for Office use and up to 11,000 square feet of ground floor Retail, Restaurant, Commercial and/or

Office on ground floor, Petitioner reserving the right to use all or a portion of the Building for hotel or multi-family.

MAX. BUILDING HEIGHT: Building not to exceed 5 Stories or 55 feet from top of curb on Park Road; Townhomes not to exceed 3 stories or 40 feet; structured parking (ground floor plus 2 levels) not to exceed 22 feet, not including stair

MAX. BUILDING AREA: Townhomes: Not to exceed 16,170 SF

Building: Not to exceed 80,000 SF Not to exceed 8 Townhome units

Not to exceed 80,000 SF (excludes parking) **NONRESIDENTIAL DENSITY:**

RESIDENTIAL PARKING REQUIRED: 1.00 SPACE/UNIT

1.00 SPACE/ 600 GROSS SF NONRESIDENTIAL PARKING REQUIRED: **RESIDENTIAL PARKING PROVIDED:** 1 SPACE/UNIT (Minimum)

NONRESIDENTIAL PARKING PROVIDED: 1.00 SPACE/ 600 GROSS SF (Minimum)

1 SF/100 SF (Minimum)

2. General Provisions:

a. These Development Conditions form a part of the Rezoning Petition filed by Selwyn Property Group Investments, LLC ("Petitioner" or "Owner") to accommodate the development of an approximately 1.31 AC site (the "Project") located on the west side of Park Road near the corner of Park Road and Woodlawn and the corner of Woodlawn and Drexmore Avenue and which is more particularly depicted on the Site Plan (the "Site"). These Development Conditions, the Site Plan, Elevations, Application and any revisions thereof are collectively referred to as the "Rezoning Petition".

b. The proposed design, including location of access points, size, configuration and location of buildings and parking areas may be altered or modified during the design/development/construction phases, as long as it meets the requirements of Section 6.207 of the Ordinance.

c. The Site is currently improved with three small commercial buildings and one residence.

d. The number of accessory buildings will not exceed the number of principal buildings on the Site.

e. The Development of this Site will be governed by the Rezoning Petition and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"), subject to the optional

3. Optional Provision:

The following variation from the MUDD minimum standards for design and development is requested

a. Section 9.8506 (2)(c)(1)(a) (Sign, banners, flags and pennants): The Rezoning Petition seeks the optional provision to allow signs located on any building wall of a structure to have a maximum sign surface of all signs on one wall not to exceed 10% of building wall area to which the sign is attached for a maximum of 200 square feet.

b. Section 9.8506 (2)(c)(1)(b) (Sign, banners, flags and pennants): The Rezoning Petition seeks the optional provision to permit a ground mounted or monument sign and such sign shall have a maximum height of five feet and a maximum face area of fifty square feet

c. Section 12.303 (Screening Requirements): The Rezoning Petition seeks the optional provision to use a "green screen" to meet the screening requirements of the Ordinance for surface parking areas except in area abutting the residential zoning/use to the rear of the Site.

4. Permitted Uses:

a. The intended use of the Site shall be permitted for up to 8 Townhomes, 3 levels of structured parking (ground floor plus 2 levels), and up to a 5 story Building not to exceed 55 feet in height for general and medical office use and up to 11,000 SF of ground floor commercial use, including retail, restaurant, general and medical office uses and business service uses. Accessory uses and structures allowed in MUDD, including, but not limited to, leasing office and amenities to the Townhome units such as recreation area and fitness facility shall also be permitted and shall not be included as part of the 11,000 SF of commercial use. Townhome units shall be "for sale".

b. Notwithstanding anything herein to the contrary, Petitioner reserves the right to develop a 4-5 story building (not to exceed 55 feet in height) for hotel use or multi-family as permitted in MUDD zoning.

5. Transportation:

a. Petitioner shall provide a vehicular and pedestrian connection from Drexmore Avenue to Park Road ("Drive") as generally shown on the Site Plan.

b. Petitioner shall grant the City of Charlotte a Public Access Easement over and across the Drive prior to the issuance of a Certificate of Occupancy

c. Petitioner shall endeavor to provide mutually agreeable cross access through the Site to adjacent property (Parcel 171-043-17-Lancaster property) in location(s) as generally depicted on the Site Plan upon redevelopment of adjacent property.

d. Petitioner shall endeavor to provide mutually agreeable cross access through the Site to adjacent property (Parcel 171-04-321-Mann Travel property) in location(s) as generally depicted on the Site Plan upon redevelopment of adjacent property

e. Drexmore Avenue currently does not meet the criteria for traffic calming devices as required by Charlotte City Council policy. Petitioner agrees to contribute up to \$2,500 in escrow towards the cost of installing traffic calming devices on Drexmore Avenue in the event traffic on Drexmore Avenue increases to a level that meets Charlotte City Council's criteria for such traffic calming devices within eighteen months after Certificate of Occupancy for Building is obtained

f. The proposed driveway connections to Park Road and Drexmore Avenue will require a driveway permits to be submitted to CDOT for review and approval. The exact driveway locations and types/width of the driveway connections will be determined by CDOT during the driveway permit process, provided, however, that the final driveway locations will not impede development of the Site as shown on the Site Plan.

g. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a

certificate issued by CDOT.

h. A Right of Way Encroachment Agreement is required for the installation of any non-standard items (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, business or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard items. Contact CDOT for additional

information concerning cost, submittal and liability insurance coverage requirements. i. Petitioner shall be permitted to construct Building and structured parking over the Drive as generally shown on the Site Plan.

6. Architectural Standards

a. The attached building elevation(s) are intended to represent the general architectural theme and overall design of the proposed buildings to be constructed on the Site. Petitioner reserves the right to alter the various building/design elements so long as the general overall architectural theme is

b. All exterior building materials for the project shall consist of fiber cement siding, panels and trim, stucco, synthetic stone clad/veneer, decorative brick elements and painted precast in proportions as generally shown on the attached building elevations.

7. Streetscape, Landscaping and Buffers:

a. Street trees, landscaping, buffers and screening will be provided as required by the Ordinance, subject to these Development Conditions.

b. Petitioner will use eight (8) foot planted trellis of deciduous or evergreen vine, or other visual screen in the location as generally depicted on the Site Plan to "soften" and screen the urban open

c. Landscaping, consisting of large maturing trees spaced 40 feet apart, small maturing trees spaced 30 feet apart, and evergreen shrubs spaced 5 feet apart, will be maintained, in addition to an 8 foot wood fence, along the eastern boundary of the Site.

d. Landscaping and a 6 foot wood fence as generally depicted on the Site Plan, will be maintained between the town homes and the adjacent single family use.

e. Upon CATS request, made during the City Engineering land disturbance permit process, Petitioner shall construct a bus waiting pad on Park Road to be located generally as depicted on the Site Plan. The pad shall be constructed to CATS development standards 60.01B.

f. Petitioner shall offer for dedication additional right of way along Park Road to include an thirteen (13) foot planting strip and an eight (8) foot sidewalk (twenty-one (21) feet from back of curb), generally as depicted on the Site Plan. This offer of dedication shall be made prior to issuance of Certificate of Occupancy.

g. Petitioner shall provide an eight (8) foot planting strip and six (6) foot sidewalk along Drexmore Avenue, generally as depicted on Site Plan.

h. Specialty paving (consisting of pavers, stamped concrete or stamped asphalt) shall be installed in the Drive in the area as generally depicted on the Site Plan.

i. Petitioner shall provide a 5 foot lighted sidewalk and three foot planting strip along the length of

j. Petitioner may use green screen to screen parking areas as generally shown on the Site Plan.

8. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance ("PCO")

b. The Petitioner shall comply with the City of Charlotte Tree Ordinance.

9. Parks, Greenway and Open Space:

a. Petitioner shall provide privately constructed urban open space as generally depicted on the Site

b. The square footage of the pedestrian passageway through the urban open space shall be counted toward the minimum open space requirements.

c. The urban open space as generally depicted on the Site Plan will be improved with seating and/or

10. Fire Protection

Reserved

11. Signage:

a. Signage shall be allowed in accordance with the Ordinance, subject to these Development Conditions.

12. <u>Lighting:</u>

a. All new light pole fixtures located within the site shall be a maximum of 20' height and shall be fully shielded. Lighting will be full cut-off fixtures designed to minimize any light trespass beyond the Project boundaries.

b. No wall-pak lighting shall be allowed, with the exception of safety lighting over exit stairs.

c. Incidental decorative lighting, such low path lighting and landscape lighting may also be installed.

13. Phasing:

14. **Other:**

N/A

Future amendments to the Rezoning Petition may be applied for by the Owner or Owners of the Site in accordance with the provisions of Section 6.207 "Alterations of Approval" of the Ordinance.

16. Binding Effect of the Rezoning Petition:

15. Amendments to the Rezoning Petition:

Upon approval of this Rezoning Petition, all conditions applicable to the development of the Site imposed under the Rezoning Petition, unless amended in the manner provided under the Ordinance, shall be binding upon and inure to the benefit of the Petitioner and the current and subsequent Owners of the Site and their respective successors in interests and assigns.

Throughout these Development Conditions, the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the Owner or Owners of the Site from time to time and may be involved in any future development thereon.

17. Vesting:

Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. §160A-385.1, due to the nature of the redevelopment, the level of investment, the timing of the redevelopment and certain infrastructure, economic cycles and market conditions this Rezoning Petition includes vesting of the approved Rezoning Plan and conditional zoning district associated with this Rezoning Petition for a five (5) year period.



design resource group

landscape architecture

civil engineering urban design

land planning

traffic engineering transportation planning

2459 wilkinson boulevard, suite 200 charlotte, nc 28208 p 704.343.0608 f 704.358.3093

www.drgrp.com

REZONING PLAN

PETITION # 2014-044

PROJECT #: DRAWN BY: CHECKED BY:

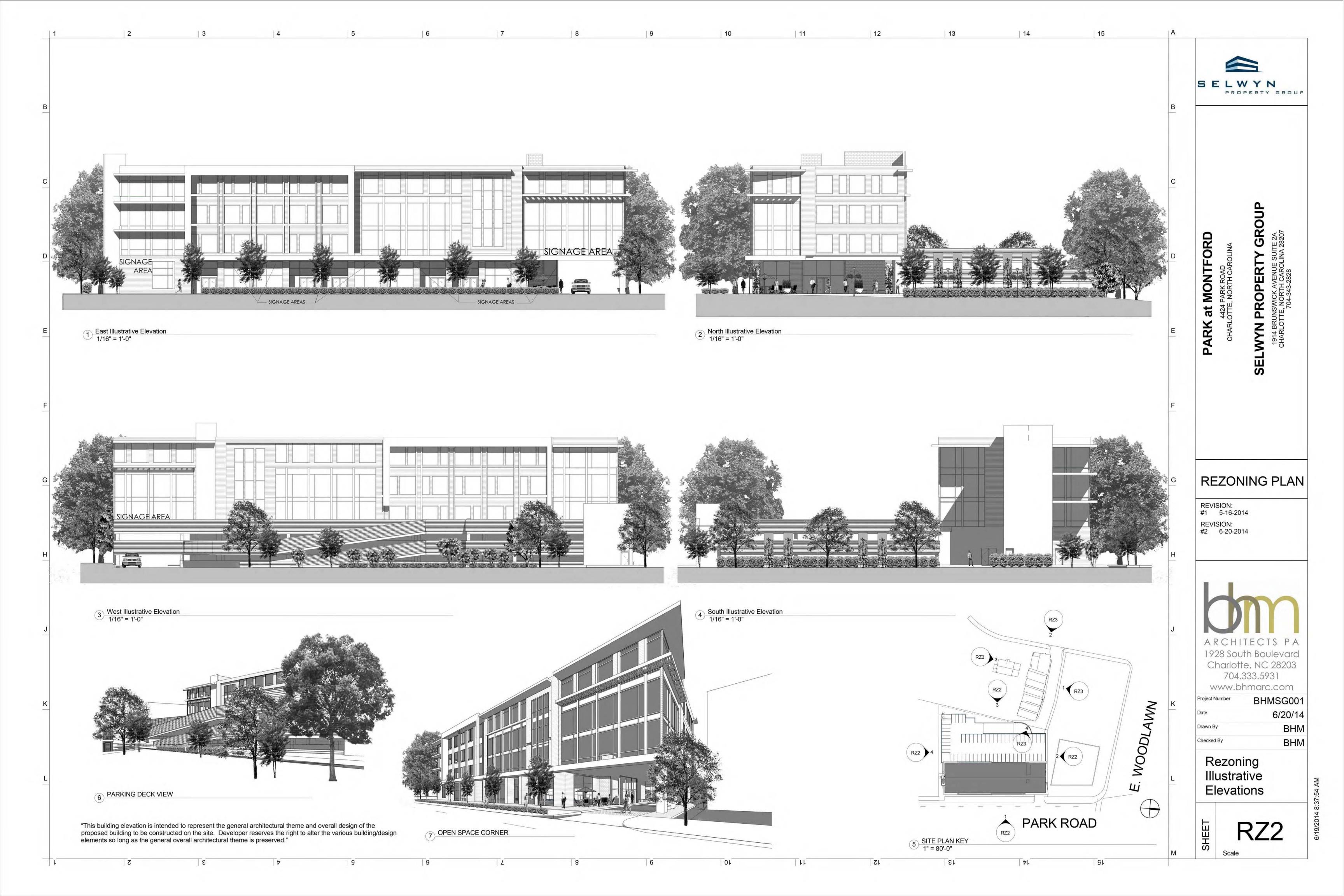
DEVELOPMENT DATA

MARCH 24, 2014

REVISIONS:

1. 5-16-14 FOR PUBLIC HEARING 2. 6-20-14 PER PLANNING REVIEW

RZ-01



PROPERTY GROUP

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REZONING PLAN

REVISION: #1 5-16-2014 REVISION: #2 6-20-2014

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"This building elevation is intended to represent the general architectural theme and overall design of the proposed building to be constructed on the site. Developer reserves the right to alter the various building/design elements so long as the general overall architectural theme is preserved."

6 DREXMORE VIEW A



5 SITE PLAN KEY 2 1" = 80'-0"

PARK ROAD

SHEET



0r

PARK ROAD ILLUSTRATIVE ELEVATION

SELWYN

PROPERTY GROUP

BARTLETT HARTLEY AND MULKEY ARCHITECTS PA

"This building elevation is intended to represent the general architectural theme and overall design of the proposed building to be constructed on the site. Developer reserves the right to alter the various building/design elements so long as the general overall architectural theme is preserved."

COLORED ELEVATIONS: NOT TO SCALE

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Elevations

BHMSG001

6/20/14

Author

Checker

SHEET RZ4

Rezoning

Illustrative

REZONING PLAN

ARCHITECTS PA

1928 South Boulevard

Charlotte, NC 28203

704.333.5931

www.bhmarc.com

Project Number

Checked By

REVISION: #1 5-16-2014

REVISION: #2 6-20-2014

S E L W Y N





DREXMORE AVENUE VIEW 2

BARTLETT HARTLEY AND MULKEY ARCHITECTS PA

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REZONING PLAN

REVISION: #1 5-16-2014 REVISION: #2 6-20-2014

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Author Checked By Checker

Townhomes **Front** Elevation

SHEET





DREXMORE AVENUE VIEW 1

BARTLETT HARTLEY AND MULKEY ARCHITECTS PA

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REZONING PLAN

REVISION: #1 5-16-2014 REVISION: #2 6-20-2014

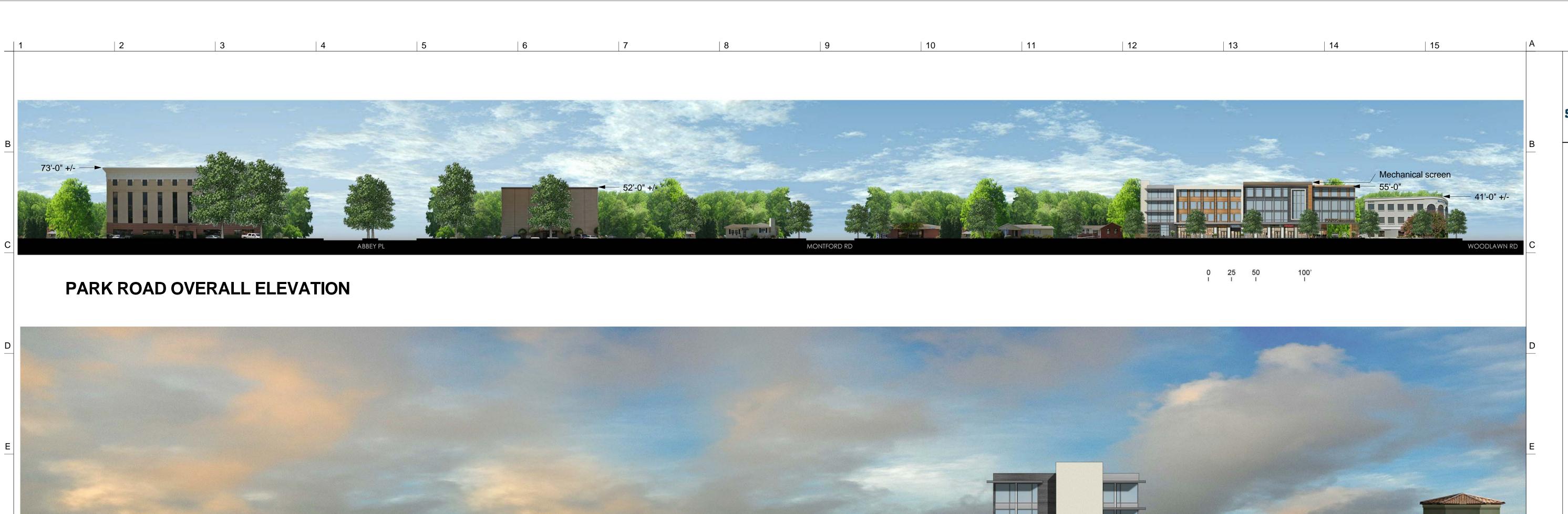
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Author Checker

> Townhomes Rear Elevation

SHEET



SECTION THRU SITE



PARK RD.

VIEW AT MUSE

REZONING PLAN

REVISION: #1 5-16-2014 REVISION: #2 6-20-2014



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Site Section

RZ7