

Freedom Greene Development Standards

1. General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the rezoning Petition filed by Alpine Village Partners to accommodate development of a mixed-use, pedestrian friendly residential project on 59.22 ac site located on Freedom Drive 1.5 miles west of Interstate 85 in Western Mecklenburg County (the "SITE")

Development of the site will be governed by the Technical Data Sheet (Z1), these Development Standards and the applicable provisions of the City Of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 zoning classification shall govern all development on the Site. Site is currently vacant.

2. Permitted Uses

Site uses are limited to the following:
 Residential as indicated, retail, restaurants, office and personal services.

3. Maximum Building Areas and Development Limitations

The Site may be developed with the following limitations.

MX-2 8 dwelling units (du) per acre maximum residential to be as follows:

Single family detached lots (77 lots)

Attached Townhomes/Flats 374 units for a cumulative total of 451 units.

24,000 sf first floor work spaces in the two structures facing Freedom Drive.

While areas devoted to outdoor dining, courtyards and plazas are not included in the above square footages, any off street parking required by the ordinance will be provided in these areas.

Clubhouse, golf pro shops, operations offices max. of 4,000 sf

Maintenance structure of 1500 sf max. to be architecturally compatible.

The Townhomes and Multi-family Areas will follow the guidelines of the High Density Option under the Lower Lake Wylie Watershed Ordinance. Single Family Detached will follow the guidelines of the Low Density Option under the Lower Lake Wylie Watershed.

4. Setbacks, Side Yards and Rear Yards

All buildings constructed on each Parcel of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the specific Zoning Classifications. Buildings and parking areas may be located within the building and parking envelopes described on the Technical Data Sheet.

5. Design and Performance Standards

(a) Architectural Controls

i. Buildings constructed facing Burke Drive shall have public entrances facing Burke Drive

and parking behind/screened from view of the public street.

ii. All dumpster areas will be enclosed on all four sides by an opaque/masonry wall with one side being a hinged opaque gate. If one or more sides of a dumpster adjoin a side or rear wall of a building, then the side or rear wall of that building may be substituted for a side.

iii. All residential structures shall have architectural details on all sides facing public view. These details include (but not limited to) windows, porches, texture (material changes), massing and other details that add character.

(b) Landscaping and Screening

i. Internal areas of the Site shall be landscaped in accordance with the requirements of the Code of the City Of Charlotte.

ii. All mechanical equipment will be screened from view from adjoining

public rights-of-way and abutting properties as viewed from grade.

iii. All other screening and landscaping shall conform to the standards of the Ordinance.

iv. The site will comply with Chapter 21 of the City Code. Proposed planting shown is conceptual only and will be subject to change on actual site conditions and Urban Forestry Staff Approval. Internal landscaping shown on the plan is illustrative and the exact design will be determined during the detailed design and development process. The width of any required buffer may be reduced 25% if a wall, fence, or berm is used as provided for in Chapter 12, section 12.302(8) of the City Code.

(c) Streetscape Treatment

The streetscape along the portion of the Site's frontage on Freedom Drive will conform to the Ordnance

and include large maturing trees, supplementary shrubbery, sidewalks which are at least 6 feet in width and planting strips which are at least 8 feet in width. The streetscape treatment along Burke Drive shall include a sidewalk of at least 6 feet in width and a planting strip of at least 8 feet.

ii. Streetscape/Sidewalks along Freedom Drive by City of Charlotte under Proposed widening project (CDOT).

iii. Street Trees shall be provided within the planting strip. Street trees shall be placed 30' on center.

(d) Lighting

i. All new freestanding lighting fixtures installed shall be uniform in design.

Max. height of any new freestanding light fixture, including base, may not exceed 25 feet.

iii. All new parking lot lighting shall be full cut off fixtures.

iv. Any lighting attached to a building shall be capped and directed downward.

v. Wall-mounted decorative lighting such as sconces are permitted.

vi. Lighting along sidewalks and pathways to be of pedestrian scale.

vii. Wall "pak" lighting shall be prohibited.

(e) Parking

and the adjoining public streets.

New off-street parking and loading areas will satisfy the standards established under the Ordinance.

New off-street parking shall not be located within areas between building fronting public streets

Except for on-street parking within the areas generally depicted on the Conceptual Master Plan, there shall be no parking between the entry roads and the structures fronting

Plan, there shall be no parking between the entry roads and the structures fronting on these roads. On street parking shall not be calculated in minimum parking requirements.

Storm Water Management

Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual. Surface level storm water detention, if provided, may be located in the common open space and the managed use zone of the SWIM Buffer.

7. Water Quality Protection Measures

(a) SWIM Buffers along Paw Creek shall be provided as required by the Ordinance.

This site falls within the Lower Lake Wylie Protection Area and development will occur as required by Ordnance.

See Sheet Z4 of 5 for further Storm Water Quality Treatment notes.

(b) Determination of density of development (low/high) will be determined subsequent to the rezoning and calculated according to standard practices as determined during plan review.

8. Connectivity

Pedestrian and vehicular connections will be proved in the manner generally depicted and as shown on the Technical Data Sheet to allow future access to the adjacent site at a minimum of two locations.

9. Landscaping Areas and Screening

(a) The landscape areas established on the technical data sheet shall contain landscape materials typically associated with a Class C Buffer. The landscape areas may be reduced or eliminated if the use of an adjacent parcel changes to a non-residential use. Cutting and Clearing of the existing vegetation along the adjacent property line is to be minimized and planting to supplement retained cover is to be coordinated with Zoning inspectors to meet minimum buffer standards per the Ordinance.

- (b) Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.
- (c) No buildings, parking spaces or maneuvering areas may be located within the buffer area.
- (d) All parking to be screened from public r/w by building massing or landscape screening.

10. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided at the front of each Live-Work building throughout the project as required by the Zoning Ordnance.

11. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshall's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval during the Building permitting phase for approval.

12. Water/Sewer Service

Public CMUD Water/Sewer service currently located at/on the site. Each Building to have separate meter/backflow assembly.

13. Signs

(a) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance, unless more restricted requirements are imposed below.

(b) No more than 1 freestanding monumental type identification signs may be erected on the Site at the intersection of Burke Drive and Freedom Drive.

e) A uniform signage and graphic system will be employed throughout the Site.

(d) Building mounted signage to comply with ordinance and permitted separately.

14. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, The Conceptual Master Plan, the Conceptual Elevations and these development Standards may be applied for by the Owner or Owners of the Parcel of Parcels within the Site in accordance with the provisions of Chapter 6 of the Ordinance.

15. Binding Effect of the Rezoning Documents and Definitions

(a) If this rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the 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 the current and subsequent owners of the Site and the respective successors in interest and assigns.

(b) Throughout these Development Standards, the terms, "Petitioner" and "Owners" 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 the Site from time to time may be involved in any future development thereof.

16. Vehicular Access and Road Improvements

a. Vehicular Access to Freedom Drive shall be as generally depicted on Technical Data Sheet (Z1).

b. 20' additional R.O.W along length of Freedom Drive frontage to be donated and conveyed as part of the final plat to City of Charlotte.

c. Burke Drive to be constructed to City of Charlotte Sub-Division Standards and turned over to City upon completion.

d. All other public streets to be constructed to City of Charlotte Sub-Division Standlards and turned over to City upon completion.

e. That portion of Pinebrook Drive adjacent to property to be re-constructed to City Of Charlotte Standards.
f. All improvements to Freedom Drive by the City Of Charlotte under project #512-99-007.

17. Greenway Dedication/Easement

Owner agrees to dedicate areas shown on Z1 to Mecklenburg County for future use by County as part of the Paw Creek Greenway system. Petitioner to construct Greenway along portion within site to MCPR standards. Maintenance of Greenway by MCPR. Owner retains right to cross at a maximum of two locations the deeded portion of land for purposes of Golf Course paths. Maintenance of all course by owner. Owner agrees to construct access path to Greenway from Western portion of public streets (Burke Drive) and Eastern Portion (Rasberry Knoll).

18. Par 3 Golf Course

Par 3 golf course to be private/member only until such a time as Charlotte-Mecklenburg Zoning Ordnance is amended to allow public access to Par 3 golf courses through a text amendment when course is constructed within the development of a residential community. Membership is limited to residents of Freedom Greene development.

19. Air Quality Permits

Total parking required does not exceed minimum requirements for an Air Quality Permit.

20. Miscellaneous Notes

a. Alterations or modifications area allowed as per Section 6.207 of the ordnance.

b. Live work units may be occupied by different tenants in the Residential and Bussiness use.

c. Dumpster area to include recycling containers.
 d. No internal buffers are required between the multi-family and single-family units that are a part of this project.

e. All streets are public streets
 f. Innovative standards used is reduction of front setback from 20' to 5' for townhome/live-work units along

Public streets.

Henson Design, Inc.

21. Tree Save Area

The site will contain tree save areas as generally depicted on the site plan. The individual acreages that are shown for the tree save areas are approximate and the Petitioner reserves the right to modify the size and location of the tree save areas so long as the total tree save area for the site is not diminished. This modification would include those areas needed to meet stormwater requirements.

22. Watershed Buffer

The Petitioner, in accordance with Section 10.708.3e, (nonimpervious recreational development and nonimpervious pedestrian trails may be allowed in the required buffer if located a minimum of thirty (30) feet from the stream bank), will construct Par Three Golf Course and the non impervious golf cart path to be located in side the undisturbed buffer. The Petitioner, in accordance with Section 10.708.3c, The Greenway Path, though will be an impervious surface, may be located inside the undisturbed buffer a minimum of thirty (30) feet from the stream bank and will not be required to provide mediation. In accordance with Section 10.7083a, may remove tress less than 2-inch caliper and undergrowth may be removed to be replaced by an effective stabilization and filtering ground cover based upon the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5 and as approved by the County Environmental Protection Department.

23. Innovative Development Standards

The petitioner, in accordance with the provisions of Section 11.208, "Innovative Development Standards", may propose modifications to the following standards:

- 1. Setbacks, side, front, and rear yards for principle and accessory structures. Front setback of 5' along public streets for town and apartments
- 2. Building separation (20' minimum)
- 3. Parking reduction of 50% requirement for Par 3 Golf Course

It is the petitioners' intent to create the opportunity to seek modification of any or all of these standards, but the details of any such proposed modification will be established and reviewed in accordance with the standard innovative process after more detailed and specific engineering of the site. The petitioner acknowledged the other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, trees, stormwater, and site development, etc.) will apply to the development site. This includes Chapters, 6, 9, 12, 17, 18, 19, 20, and 21 of the city code.

Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinance, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply unless otherwise stated in these conditional notes.

24. MX-2 Innovative Standards-Conditional Zoning District General Provisions

Unless more stringent standards are established by the Illustrative Schematic Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MX-2 Innovative Standards Condition Zoning District Classification shall be followed in connection with development taking place on the Site subject to the innovative Development Standards set out below.

The configuration, placements, and sizes of the buildings outlined on the Illustrative Schematic Plan is conceptual in nature and subject only to the provisions set forth below, and may be altered or modified to accommodate final building locations.

25. Landscaping and Buffers

The site will comply with Chapter 21 of the City Code. Proposed planting shown is conceptual only and will be subject to change on actual site conditions and Urban Forestry Staff Approval. Internal landscaping shown on the plan is illustrative and the exact design will be determined during the detailed design and development process. The width of any required buffer may be reduced 25% if a wall, fence, or berm is used as provided for in Chapter 12, section 12.302(8) of the City Code.

26. Sidewalks

Petitioner will install 6' sidewalks on both sides of public streets. All sidewalks will include a minimum of 8' planting strip.

27. Solid Waste

Petitioner agrees to meet all requirements as stated in Chapter 9 and Chapter 12 of the City Code regarding solid waste dumpster, compactor, and recycling areas.

28. Design Guidelines

The petitioner will establish the following building and design guidelines for the multi-family/townhomes to be built on the site.

- Exterior residential building facades facing Public Streets shall be comprised of a minimum of two (2) of the following materials including brick, stone, stucco, wood clapboard, wood shingle, wood drop siding, primed board, Hardy plank siding, or other similar material. No vinyl siding shall be permitted on front elevation.
- Residential roofs shall have minimum of 5/12 pitch and will be clad in wood shingles, standing seam metal, slate, architectural shingles, shakes, metal roof accents, or similar materials.
- The petitioner agrees to add a provision to the restrictive covenants to require that a minimum of 75% of all townhomes shall be owner occupied.

29. Fire Department

Petitioner will meet or exceed all current approved ordinances and codes of the Charlotte Fire Department as of date of approval. A minimum 12' clear will be provided between all multi-family buildings.

30. Paw Creek Connection

Petitioner agrees to convey to City of Charlotte a 50' right-of-way from stub at Burke Drive and the end of Raspberry Knoll approximately 350' in length crossing Paw Creek. City of Charlotte will be responsible for design and construction of connection.

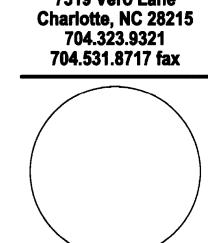
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For Public Hearing Petition #2008-17 From MX-2 (CD) to MX-2 Innovative

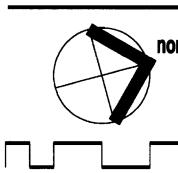
Civil Engineering

10225 Hickorywood Hill Ave.
Suite A
Huntersville, North Carolina 28078
704.875.1615 phone
704.875.0959 fax
www.HensonDesignInc.com

KENNETH ANDREWS ARCHITECT 7319 Vero Lane

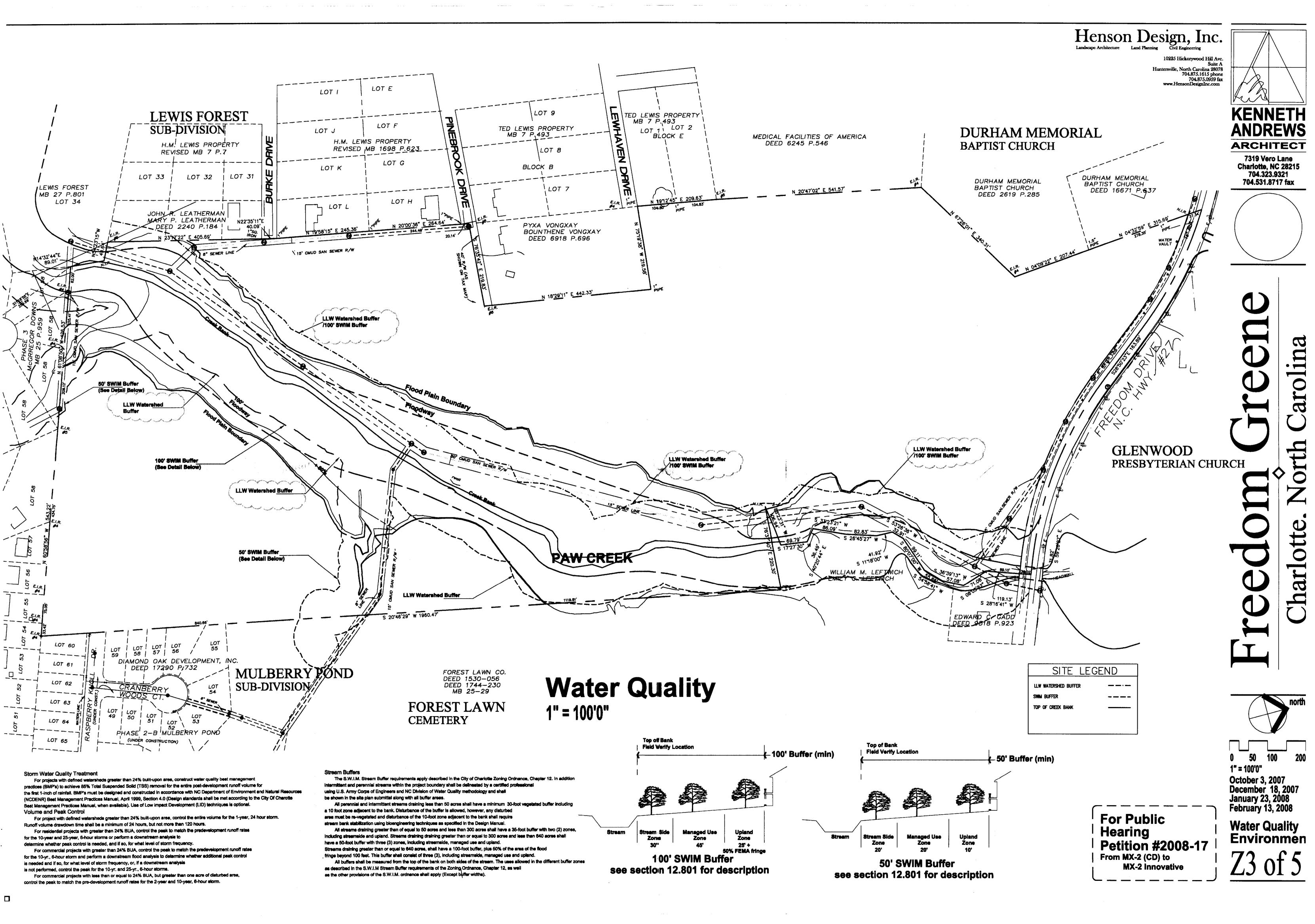


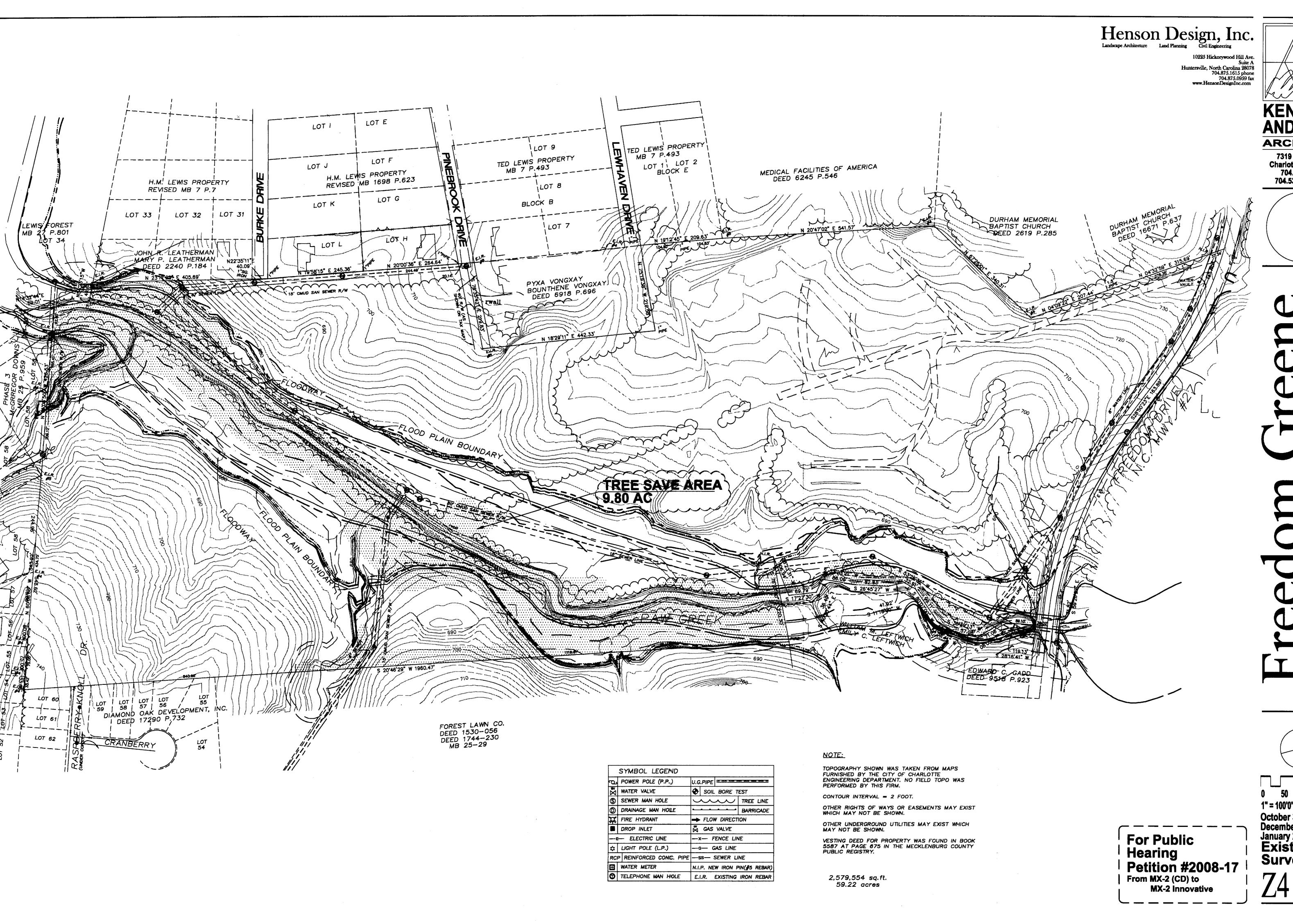
Freedom Green Charlotte. North Carolina



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October 3, 2007
December 18, 2007
January 23, 2008
February 13, 2008
Development
Standards

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KENNETH ANDREWS ARCHITECT

7319 Vero Lane Charlotte, NC 28215 704.323.9321

Charlotte, NC 28215 704.323.9321 704.531.8717 fax

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