

POSSIBLE WATER QUALITY AND  
STORM WATER DETENTION AREA

UNDISTURBED BUFFER AREA (TYP.)

IMPROVED OPEN SPACE

POSSIBLE TRASH AND RECYCLING AREA (TYP.)

POSSIBLE ALTERNATIVE  
ACCESSORY USE CHAPEL  
LOCATION

TREE SAVE AREA

DISABLED ADULTS  
INDEPENDENT LIVING UNITS  
(13 DWELLING UNITS TOTAL)

8' PLANTING STRIP AND 6' SIDEWALK ALONG  
SOUTH TRYON STREET

~NOW OR FORMERLY~  
LAUREL RIDGE PHASE 2 ~ AT THE CROSSING  
MB 26, PG 83  
ZONED: R-8(CD)

2 STORY BUILDING

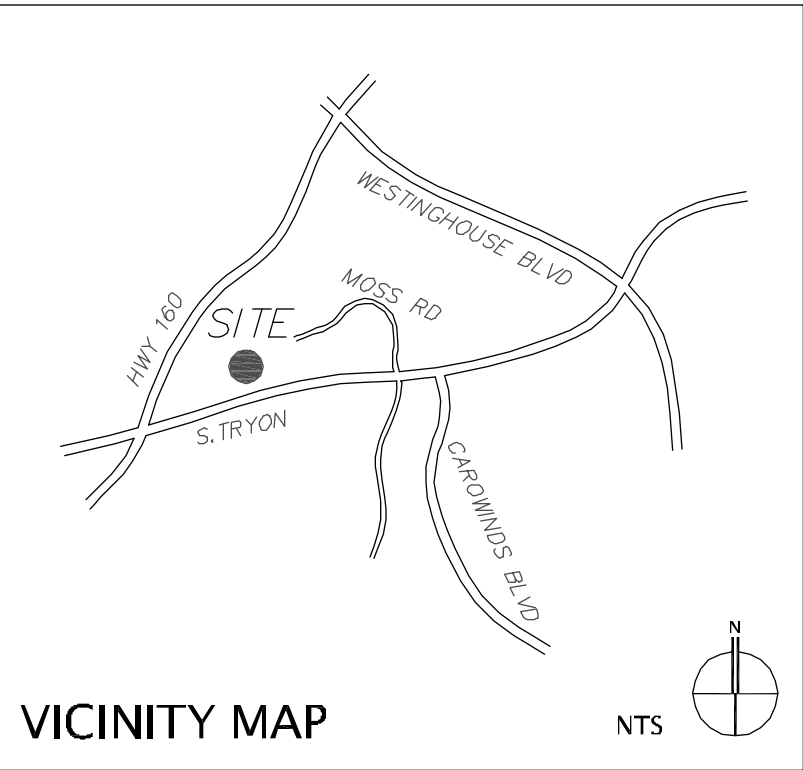
POSSIBLE ACCESSORY USE  
CHAPEL WITH  
UP TO 100 SEATS

~NOW OR FORMERLY~  
GOOD SHEPHERD UNITED METHODIST  
DB 7884, PG 974  
MB 23, PG 368  
ZONED: R-12MF(CD)

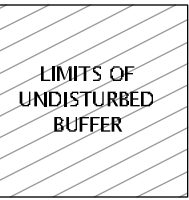
IMPROVED OPEN SPACE /  
OUTDOOR ACTIVITY AREA  
UP TO 240 SENIOR  
INDEPENDENT LIVING UNITS

ADULT CARE CENTER  
-OR-  
SENIOR INDEPENDENT  
LIVING UNITS

NEW RIGHT TURN LANE/DECELERATION LANE



LEGEND



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**SOUTH TRYON STREET PROPERTY**  
SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA  
**CATHOLIC DIOCESE OF CHARLOTTE**  
1123 SOUTH CHURCH STREET  
CHARLOTTE, NORTH CAROLINA 28203  
(704) 370-3248

REZONING PETITION  
FOR PUBLIC HEARING  
PETITION #2011-045

SCALE: 1" = 100'

PROJECT #: 318-001  
DRAWN BY: DBS  
CHECKED BY: DM

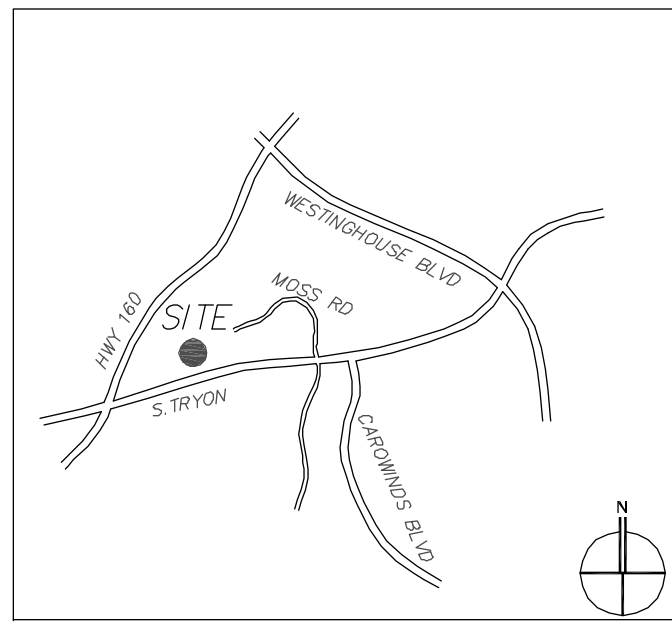
**SCHEMATIC  
SITE PLAN**

APRIL 25, 2011

REVISIONS:  
1. 6/17/11 PER NEIGHBORHOOD  
COMMENTS AND CNPC COMMENTS  
2. 7/22/11 PER PUBLIC HEARING

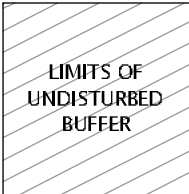
**RZ - 2.0**





VICINITY MAP N.T.S.

LEGEND



50' UNDISTURBED CLASS C BUFFER

POSSIBLE WATER QUALITY AND STORMWATER DETENTION AREA

UNDISTURBED BUFFER AREA (TYP.)

TREE SAVE AREA

50' CLASS C BUFFER

20' SIDE OR REAR YARD

50' BUILDING SETBACK

8' PLANTING STRIP AND 6' SIDEWALK ALONG SOUTH TRYON STREET

NEW "LEFT-OVER" TURN LANE INTO SITE

SOUTH TRYON STREET (HWY 49)  
RIGHT OF WAY VARIES  
NC HWY PROJECT #8.1673502 (U-2512-A)

DEVELOPMENT AREA "B"

BUILDING/PARKING/SERVICE ENVELOPE

DEV. AREA "A"

BLDG/PKG/SVC. ENVELOPE

DEVELOPMENT AREA "C"

BUILDING/PARKING/SERVICE ENVELOPE

100' "NO BUILD" AREA

200' 2-STORY BUILDING SETBACK

400' 3-STORY BUILDING SETBACK

75' UNDISTURBED CLASS B BUFFER

20' SIDE OR REAR YARD

TREE SAVE AREA

50' CLASS C BUFFER

20' SIDE OR REAR YARD

NEW RIGHT TURN LANE/DECELERATION LANE

DEVELOPMENT DATA

--Acreage: ± 20.60

--Tax Parcel #: 201-351-76 and 77

--Existing Zoning: R-3 and R-12(CD)

--Proposed Zoning: Institutional (CD) (along with a five (5) year vested right period)

--Existing Uses: Vacant

--Tree Save %: A minimum of 20% of the Site will be provided as tree save areas.

--Proposed Uses: Up to 240 senior independent living units; 13 disabled adult independent living units; a 25,000 square foot adult care center; along with accessory uses and structures as allowed by the Institutional zoning district, all as more specifically described and restricted below.

--Maximum Building Height: 50 feet but not to exceed three stories as defined by the Ordinance and as further restricted below and on the technical data sheet.

--Parking: Parking will be provided at the following ratios:

- Senior independent living units: 50 spaces per unit.
- Disabled adult independent living units: 25 spaces per unit.
- Adult Care Center: as required by the Ordinance.
- Accessory uses and structures will not be required to provide parking (e.g. the chapel)

1. General Provisions:

a. These Development Standards form a part of the rezoning plan associated with this INST (CD) petition to accommodate development on approximately 20.6 acres located on South Tryon Street, as more particularly shown on the rezoning plan (the "Site"). Development of the Site will be governed by the attached plans and these Development Standards (together with the plans referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan (including these Development Standards) establish more stringent standards, the regulations established under the Ordinance for the Institutional (INST) Zoning Classification shall govern development on the Site within the Development Areas generally depicted on the Rezoning Plan as Development Area A, Development Area B and Development Area C. For the reasons set forth below, this Petition includes the vesting of the approved Rezoning Plan for the Site for five (5) years.

b. The layout of the development; the exact alignments of points of access; the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of such other site elements on the Rezoning Plan are graphic representations of the proposed development which may be subject to change during the design/development/construction phases. Consequently, except as otherwise expressly specified on the Rezoning Plan, these elements may therefore be subject to alterations or modifications, during the design/development/construction phases, as long as the building and parking improvements are located within the Building/Parking Envelope set forth on the Rezoning Plan and subject to compliance with the accompanying Development Standards and Section 6.207 of the Ordinance. For the purposes of Sections 6.206 and 6.207 of the Ordinance, accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site; and it is understood that up to 10 principal buildings may be located on the Site in connection with permitted uses. Parking layout for surface parking may be modified to accommodate changes during the design/development/construction phases to the extent permitted by the Ordinance and subject to the requirements and conditions of the Development Standards.

c. To the extent of any conflict between the matters contained in other areas of the Rezoning Plan and the matters set forth in the Development Standards, the Development Standards shall govern.

d. **Planned/Unified Development:** The petitioner reserves the right to subdivide the property without having to provide frontage on a public street as part of a Planned Development and as allowed for multi-family dwellings in section 12.101.(2) of the Ordinance; and

e. The Petitioner and/or owner of the Site reserve the right to subdivide the Site and create lots within the interior of the Site without regard to any such internal separation standards, provided, however, all such yards and separation standards along the exterior boundary of the Site shall be adhered to.

f. **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 development, the size and phasing, the level of investment, the timing of the development and certain economic cycles and market conditions this Petition includes vesting of the approved Rezoning Plan and conditional zoning district associated with this Petition for a five (5) year period

g. **Amendments to the Rezoning Plan:** 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 of Chapter 6 of the Ordinance.

h. **Binding Effect of the Rezoning Application:** 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns. References to Petitioner shall also include owners of portions or all of the Site

2. Permitted Uses & Development Area Limitation:

a. The portion of the Site generally depicted as Development Area A may be developed with up to 13 disabled adult independent living units. The proposed accessory chapel may also be located within this Development Area.

b. The portion of the Site generally depicted as Development Area B may be developed with up to 200 senior independent living units as defined below.

c. The portion of the Site generally depicted as Development Area C may be developed with an adult care center with up to 25,000 gross square feet as defined by the ordinance or with up to 40 senior independent living units.

d. A chapel with up to a 100 seats may be constructed in Development Area A or B. The chapel need not be located on its

own parcel but will be located on a parcel that contains residential living units and will be available to all residents of the Site. For the purposes of the Ordinance, the chapel will be considered an allowed accessory use and is not required to provide additional parking.

c. Accessory uses and structures as allowed in the Institutional zoning district will be allowed in each of the Development Areas.

f. As part of the development of the senior independent living units the Petitioner will provide some or all of the following amenities: community kitchen, library/media/computer room, laundry facilities, community room, parlor, porch, courtyard, patio, outdoor seating areas and walking paths. A minimum of 5% of the building square footage, exclusive of hallways, of each development phase of senior independent living units will be developed with some of these types of amenities.

For the purposes of this Petition Senior Independent Living units will be defined as a unit that is designed for and restricted to occupancy by households who have at least one member who is 55 years of age or older.

3. Transportation and Transportation Improvement Phasing:

a. Access to the Site will be from South Tryon Street via a private street as generally depicted on the Rezoning Plan.

b. Access to parcels and uses located internally within the Site will be via a private street that will be constructed on the Site as generally depicted on the Rezoning Plan.

c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns and parking layouts.

d. Subject to approval of the North Carolina Department of Transportation ("NCDOT") and the City Department of Transportation ("CDOT"), the following roadway improvements will be constructed in two phases.

Phase One:

A final certificate of occupancy will not be issued for the first building constructed on the Site until the following improvements are completed:

1. The extension of the existing westbound right turn deceleration lane located along the Site's frontage on S. Tryon street from 100 feet to 240 feet to tie into the proposed access from S. Tryon Street into the Site.

2. Construction of an additional westbound right turn deceleration lane with 150 feet of storage and a 110 foot taper along S. Tryon Street. This additional lane will tie into the extension of the existing westbound right turn deceleration lane.

Phase Two:

A final certificate of occupancy will not be issued for the second building constructed on the Site until the following improvement is completed:

1. Construction of an eastbound direction crossover within the existing median of S. Tryon Street with 150 feet of storage and a 175 foot taper.

**Right-of-way Acquisition:** It is possible that the Petitioner will have to acquire off-site right-of-way to complete some of these roadway improvements. If after three (3) reasonable efforts have been made by the Petitioner to acquire such right-of-way on market rate terms, such efforts to be expended over a period of 90 days, the Petitioner has not been successful, the City of Charlotte will assist in the acquisition of right-of-way in accordance with its standard policies. In such event, the Petitioner will reimburse the City for the all the costs associated with this right-of-way acquisition.

4. Architectural Standards:

a. The attached elevations associated with the building to be located within Development Area A are included to reflect the architectural style and quality of the building that will be constructed (the actual building so constructed may vary in minor ways from these illustrations as long as the general architectural concepts and intent illustrated is maintained). The buildings constructed on Development Areas B and C will be architecturally compatible with the building constructed on Development Area A. Compatibility will be achieved by the use of similar architectural styles, building material and colors.

b. The building constructed on the Site will utilize a combination of some of the following building materials: stone, simulated stone, synthetic stone, pre-cast stone, precast concrete, brick, fiber cement siding (such as hardi-plank), stucco, synthetic stucco and wood. Vinyl as a building material would only be used on windows and or soffits.

c. The number of buildings illustrated on the Schematic Site Plan may be increased as described above. The location of the proposed 100 seat chapel may be shifted from where it is illustrated on the Schematic Site Plan to an other location within Development Area B or to Development Area A, including attaching it or incorporating it into an elderly multi-family housing building.

d. New dumpster areas and recycling areas within the Development Areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the building within Development Area. If one or more sides of a dumpster area adjoin a side or rear wall of a building within Development Area, then the side or rear wall may be substituted for a side.

e. Above ground backflow preventers on the Site will be screened from public view and will be located outside of the required setbacks.

5. Streetscape, Landscaping, Setbacks and Buffers:

a. Street trees, landscaping, buffers and screening will be provided as required by the Tree Ordinance and the Zoning regulations.

b. A minimum of 20% of the Site will be set aside as Tree Save areas as defined by the Tree Ordinance.

c. A 50 foot landscape setback will be provided along S. Tryon Street as generally depicted on the Rezoning Plan. No buildings, parking areas or storm water detention structures will be allowed in the 50 foot landscaped setback. However, water quality structures

may be located within the 50 foot landscape setback. Two rows of trees plus foundation plantings will be installed within the 50 foot landscape setback.

d. A 100 foot no build zone will be established along the northern property boundary and a portion of the western property boundary as generally depicted on the technical data sheet. No buildings, parking or maneuvering for parking, driveways, storm water detention or water quality structures will be allowed in this 100 foot no building zone. However, the interior 25 feet of the 100 foot no build zone may be used for grading, utilities and retaining walls.

c. A 50 foot undisturbed "Class C" buffer will be established along a portion the western and eastern property boundaries as generally on the technical data sheet. This buffer area may be disturbed for the installation of required trees and shrubs. This buffer may not be reduced in width as allowed by the Ordinance.

f. A 75 foot undisturbed "Class B" buffer will be established along the northern property boundary as generally depicted on the Technical Data Sheet. This buffer area may be disturbed for the installation of required trees and shrubs. This buffer may not be reduced in width as allowed by the Ordinance.

g. The Petitioner will install within the 75 foot class B buffer located along the northern property boundary the required trees associated with a 75 foot class B buffer prior to the issuance of a final certificate of occupancy for the first building constructed on the Site.

h. Any existing vegetation (trees and shrubs) that is preserved within any of the required and provided buffers may be used to meet the planting requirements of the buffer.

i. Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees

j. The Petitioner reserves the right to eliminate the Class C buffer located along the eastern property boundary should the abutting property be used and/or zoned for a use that no longer requires a buffer.

k. The private street providing access to the Site will be designed with six (6) foot sidewalks and eight (8) foot planting strips on both sides.

l. The Petitioner will install along the Site's frontage of S. Tryon Street a eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan.

6. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. Water quality and storm water detention structures for each Development Area may be provided on each individual Development Area or may be consolidated in one or more locations on the Site to serve all or some of the development that occurs in each of the Development Areas.

c. The proposed storm water detention/water quality pond located in Development Area B in the northwest corner of the Site will be designed as a wet pond.

d. The location, size and type of storm water management systems depicted on the rezoning site plan is subject to review and approval as part of full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural Site discharge points.

7. Open Space:

a. Improved open space areas will be provided within each of the Development Areas where elderly or disabled housing units are constructed.

8. Signage:

a. Signage will comply with the Ordinance.

9. Lighting:

a. All new lighting fixtures located in each of the Development Areas shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that may be installed along the internal driveways, and sidewalks.

b. New detached lighting located in each of the Development Areas will be limited to 25 feet in height.

c. No "wall pak" lighting will be allowed on any buildings constructed on the Site, however architectural lighting on building facades, such as sconces, will be permitted

d. Pedestrian scale lighting shall be installed throughout the Site.

10. Phasing:

a. It is anticipated that construction will take place in phases such that portions of the remainder of the Site will be developed over time.

b. Each phase of development may be for all or portions of the allowed uses within each of the Development Areas.

11. Other:

a. Building Height Setbacks: The Petitioner will establish along the northern property boundary the following setbacks:

- A 200 foot two (2) story building setback from the northern property boundary as generally indicated on Sheet RZ-1 (i.e. a two story building must be located at least 200 feet from the northern property boundary).

- A 400 foot three (3) story building setback from the northern property boundary as generally indicated on Sheet RZ-1 (i.e. a three story building must be located at least 400 feet from the northern property boundary).



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SOUTH TRYON PROPERTY

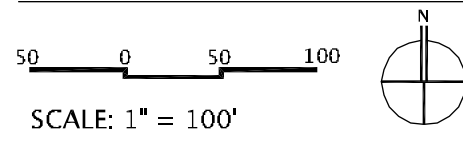
SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA

CATHOLIC DIOCESE OF CHARLOTTE

1123 SOUTH CHURCH STREET  
CHARLOTTE, NORTH CAROLINA 28203

(704) 370-3248

REZONING PETITION  
FOR PUBLIC HEARING  
PETITION # 2011-045



PROJECT #: 318-001  
DRAWN BY: BS  
CHECKED BY: DM

TECHNICAL  
DATA SHEET

APRIL 25, 2011

REVISIONS:

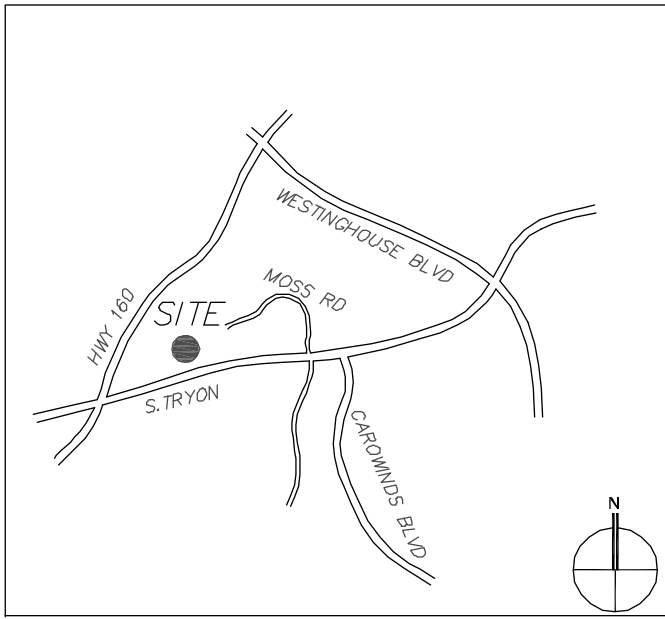
- Δ 6/17/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
- Δ 7/22/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS

RZ - 1.0





DISABLED ADULT INDEPENDENT LIVING UNITS – BUILDING ELEVATION (FRONT)



VICINITY MAP N.T.S.

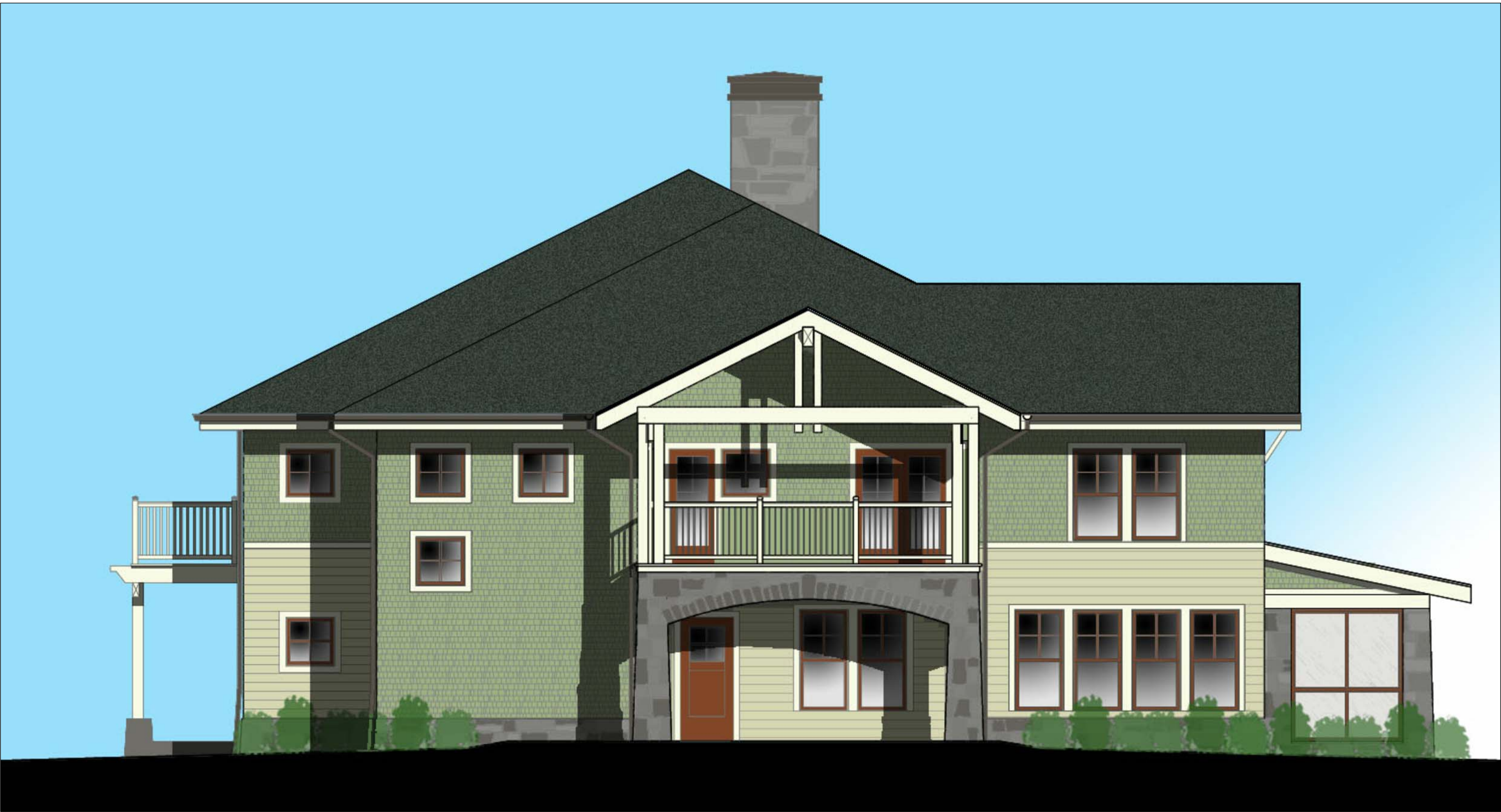


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DISABLED ADULT INDEPENDENT LIVING UNITS – BUILDING ELEVATION (SIDE)

The attached elevations associated with the building are included to reflect the architectural style and quality of the building that will be constructed (the actual building so constructed may vary in minor ways from these illustrations as long the general architectural concepts and intent illustrated is maintained).

The building constructed on the Site will utilize a combination of some of the following building materials; stone, simulated stone, synthetic stone, pre-cast stone, precast concrete, brick, fiber cement siding (such as hardi-plank), stucco, synthetic stucco and wood. Vinyl as a building material would only be used on windows and or soffits.



ARCHITECTS, INC

REZONING PETITION  
FOR PUBLIC HEARING  
PETITION #2011-045

PROJECT #: 318-001  
DRAWN BY: BS  
CHECKED BY: DM

**BUILDING  
ELEVATIONS**

APRIL 25, 2011

REVISIONS:  
7/22/11 – PER PUBLIC HEARING