

VICINITY MAP - 1"=2000'

Site Data

Site Area: +/- 37.54 Ac.
Parcels to be Rezoned: 047-421-02, 047-421-01, 047-421-06
Current Zoning: RE-3 Optional
Proposed Zoning: RE-3 Optional SPA

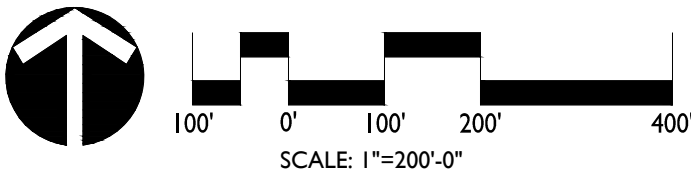
Existing Uses:	Vacant
Proposed Uses:	Uses allowed in the RE-3 district as restricted in the development standards
Number of Residential Units by Housing Type:	300 multi-family dwelling units on Parcel C
Square footage of non-Residential Uses by Type:	75,000 sf retail, restaurant and other uses as allowed in the RE-3 district on Parcel A and B.* 200 Room Hotel on Parcel A or B.** (**subject to the conversion rights specified in the development standards)
Maximum Building Height	90 ft. as defined by the Ordinance

Parking Ratios (as defined by the Ordinance):

Use:	Required Parking:
Retail	1 Space per 250 gross square feet
Restaurant	1 Space per 125 gross square feet
Hotel	1 Space per Room
Multi-Family Units	1.5 Spaces per Dwelling Unit

Legend

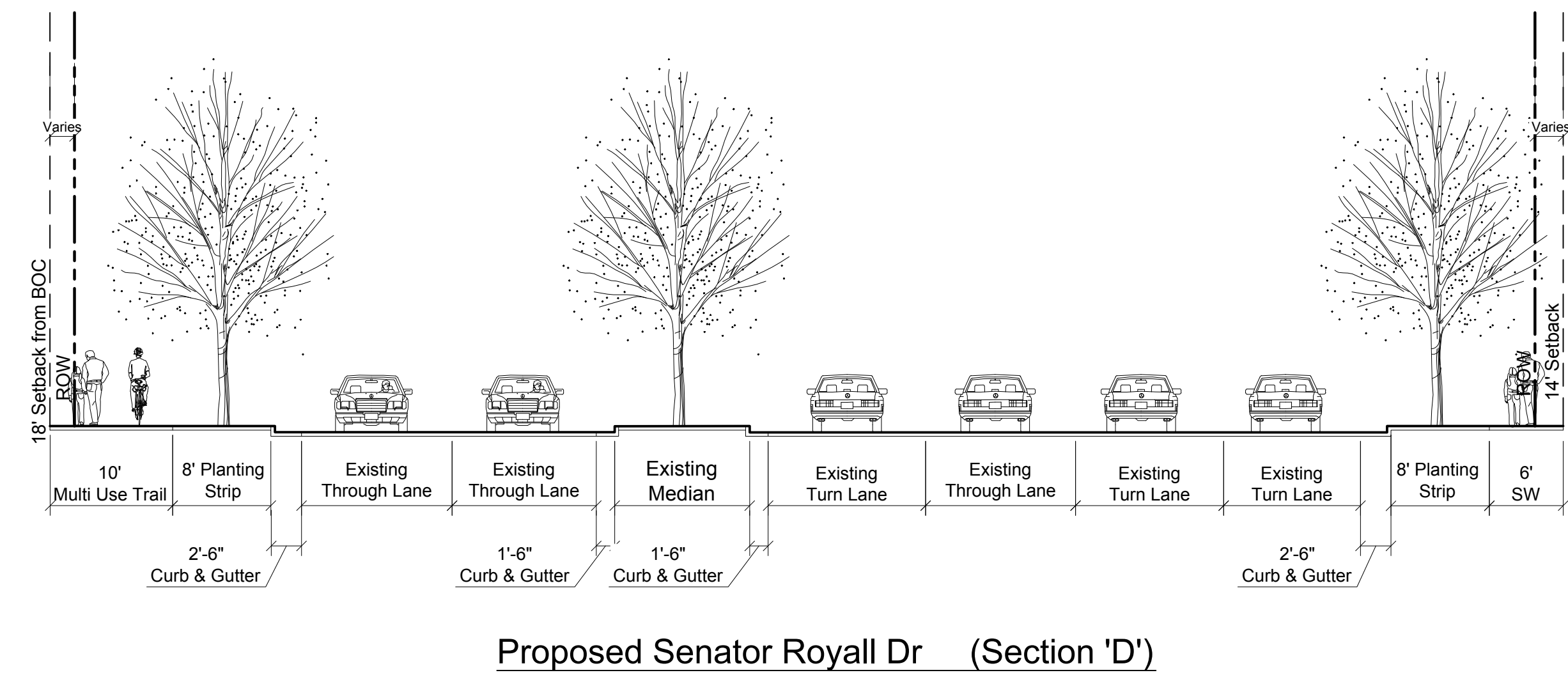
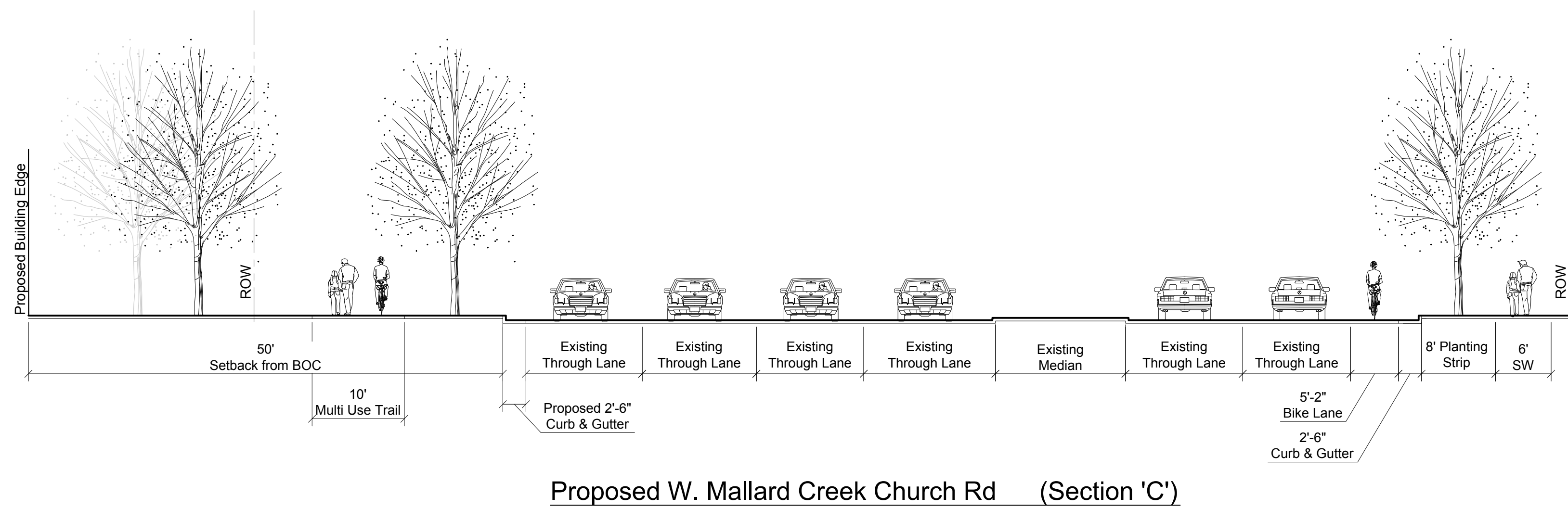
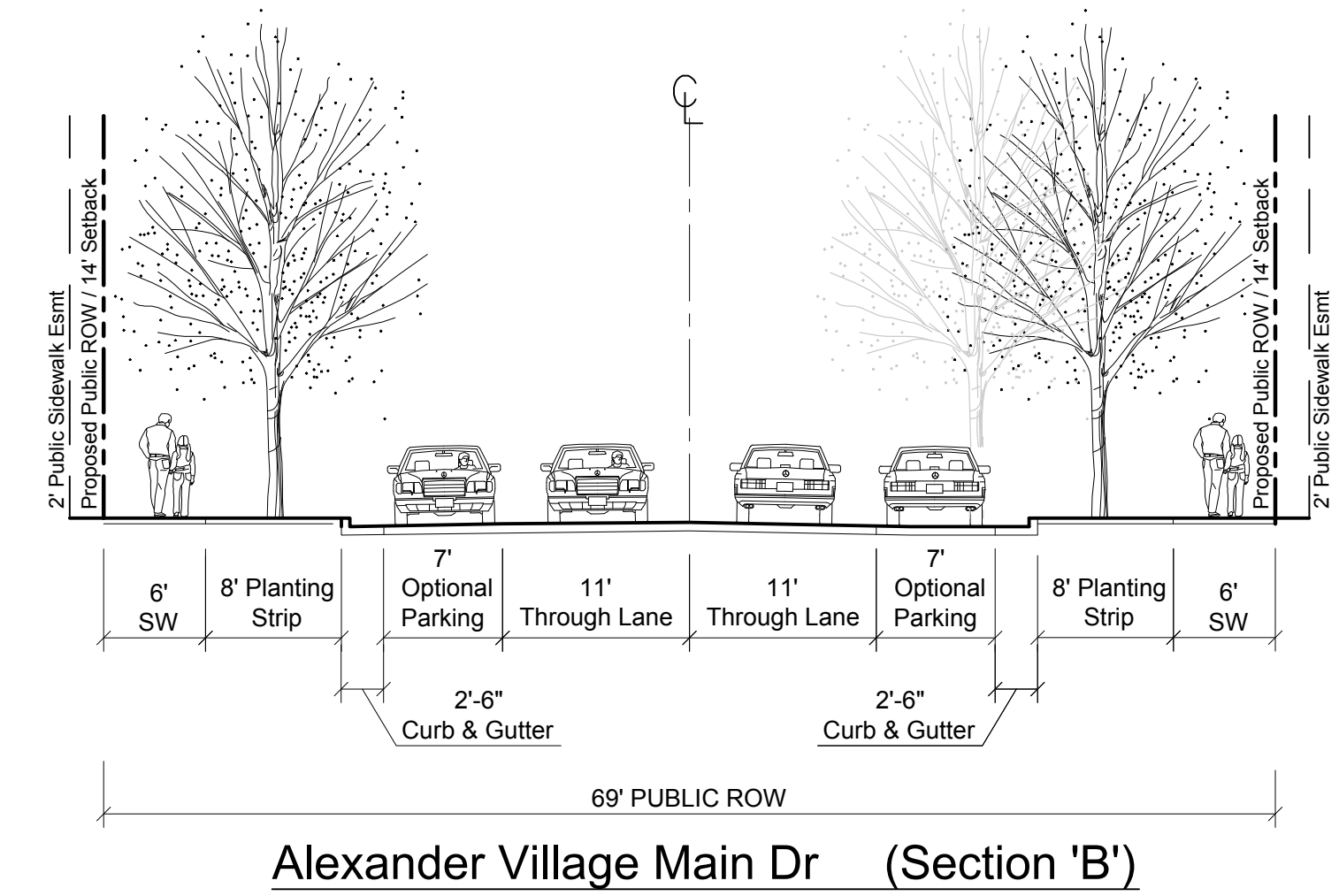
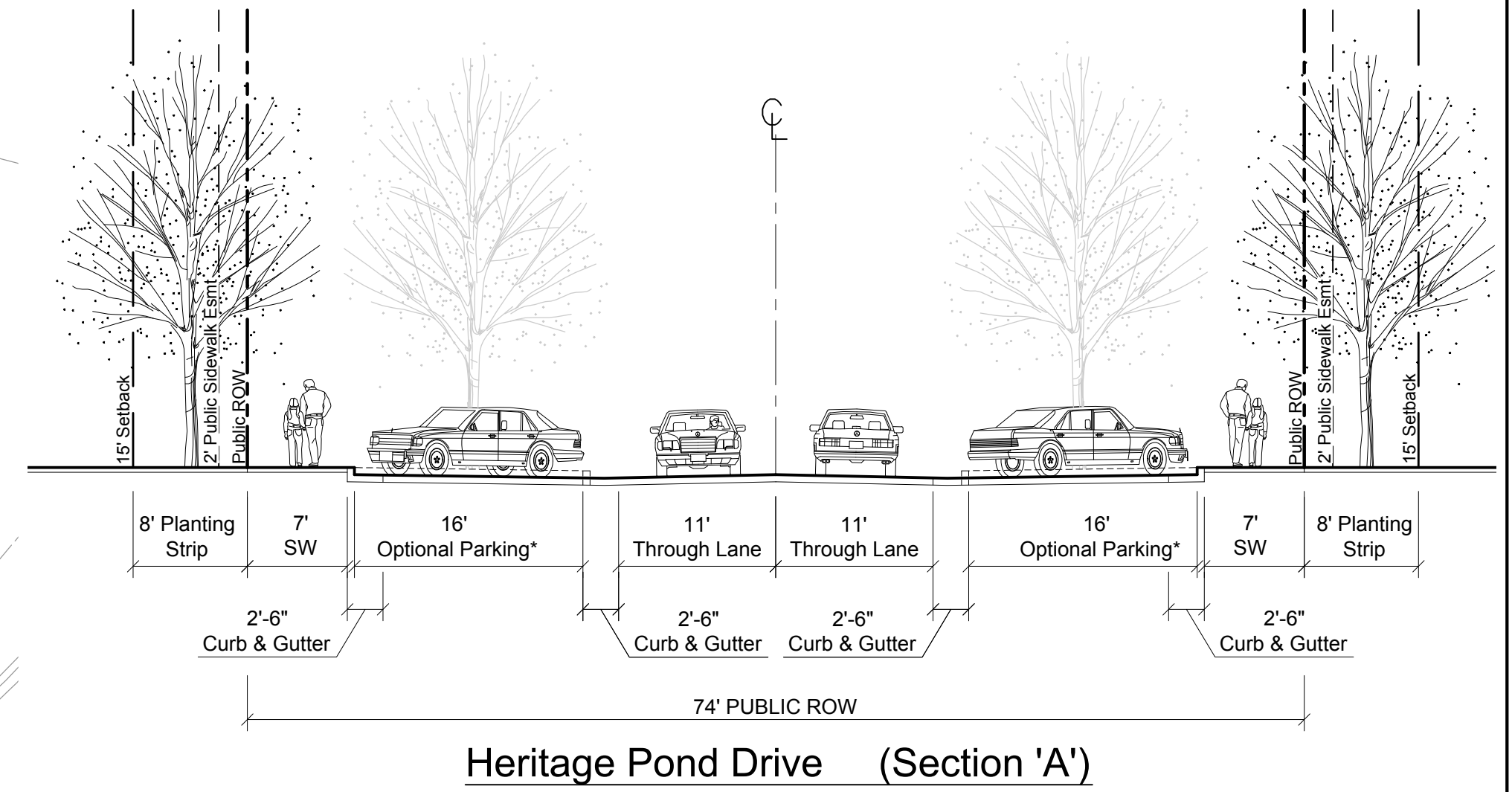
- Property Line
- Setback
- 10' Contours
- Existing Vegetation



REVISIONS:

SENATOR ROYALL
REZONING PETITION NO.
CRESCENT RESOURCES; CHARLOTTE, NC
TECHNICAL DATA SHEET





Crescent Communities
Development Standards
06/24/16
Rezoning Petition No. 2016-000

Site Development Data:

- Acreage: ± 37.54
--Tax Parcel #s: 047-421-02, 047-421-01, and 047-421-06
--Existing Zoning: RE-1
--Proposed Zoning: RE-3(O)
--Existing Uses: Vacant
--Proposed Uses: Residential and non-residential uses as allowed in the RE-3(O) zoning district (as more specifically described and restricted below in Section 3).
--Maximum Amount of Development: Up to 300 multi-family dwelling units, up to 75,000 square feet of gross floor area of non-residential uses, and a hotel with up to 200 rooms, subject to the conversion rights described below, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3).
--Maximum Building Height: A maximum building height of 90 feet as allowed by the Ordinance. Building height to be measured as required by the Ordinance.
--Parking: Parking as required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crescent Communities to accommodate development of a pedestrian-friendly multi-use development on an approximately 37.54 ± acre Site located along W. Mallard Creek Church Road at Senator Royall Drive (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan 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 or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 Conditional District zoning district classification, subject to the Optional Provisions provided below, shall govern all development taking place on Parcel A, Parcel B, and Parcel C of the Site.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.
The Planning Director, or designee will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed eight (8) as to Parcel A, five (5) as to Parcel B, and fourteen (14) as to Parcel C. The Petitioner reserves the right to combine buildings on each of the parcels to have a lesser number of buildings than is illustrated on the Schematic Site Plan. Accessory building and structures located on each of the Parcels shall not be considered in any limitation on the number of buildings on each of the Parcels.

2. Optional Provisions.

a. The Petitioner seeks the Optional provision to allow retail sales uses over 10,000 square feet on Parcel A and Parcel B subject to the restrictions below.

b. The Petitioner seeks the Optional provision to provide a 50 foot landscape setback as measured from the future back of curb along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan.

c. The Petitioner seeks the Optional Provision to provide 15 foot setbacks along the new internal public streets as indicated on the Rezoning Plan.

d. The Petitioner seeks the Optional provision to allow parking and maneuvering for parking to be located between the proposed buildings and W. Mallard Creek Church Road. This proposed parking and maneuvering area will be screened from W. Mallard Creek Church Road.

3. Permitted Uses, Development Area Limitations:

a. Parcels A and B of the Site may be devoted to uses allowed in the RE-3 zoning district including, without limitation, retail (including grocery), restaurant, and hotel uses along with accessory uses, subject to the restrictions listed below.

i. Parcels A and B of the Site may collectively be developed with up to 75,000 square feet of gross floor area of retail and restaurant (EDEE) uses as well as other uses as allowed by the RE-3 zoning district. A hotel containing up to 200 rooms may also be located on Parcel A or B. In the event the hotel is not developed or a hotel with a lesser number of hotel rooms is developed, additional retail, restaurants, and other uses allowed in the RE-3 district will be allowed in lieu of hotel rooms. In such an event, an additional 250 square feet of gross floor area may be developed for each hotel room that is not constructed up to a maximum of 25,000 square feet of additional floor area.

ii. No more than two uses may include accessory drive-through window facilities within the Site. The drive-through facilities may be located either on Parcel A or Parcel B.

iii. Drive-through service windows shall be limited to the following uses: financial institutions, pharmacies, dry cleaners, and restaurants (EDEE) provided that such restaurants (EDEE) will be limited to a maximum of 3,500 square feet of gross floor area (restaurants (EDEE) without an accessory drive-through window are not subject to this square footage restriction).

iv. The number of drive-through lanes will be limited to one for uses allowed to have an accessory drive-through window except financial institutions (e.g. banks) which may have up to four (4) drive-through lanes including a lane for a drive up automatic teller machine (ATM) if an ATM is provided.

v. The following uses will not be allowed on Parcels A and B: residential units; theaters, motion picture; manufacture of electronic, computing and communications equipment and related devices; stadiums and arenas and vehicle leasing offices.

b. Parcel C of the Site may be developed with up to 300 multi-family dwelling units along with associated accessory uses which are permitted under the Ordinance of all types in the RE-3 Zoning District. This parcel may be developed in multiple phases.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed).

4. Transportation Improvements/Development Allocations:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

a. **Public Street abutting Parcel B and certain Senator Royall Drive Improvements (Project # 2).** Up to 40,000 square feet of gross floor area of retail and restaurant uses on Parcel B upon the construction of: (i) the proposed public street along the southern boundary of Parcel B, (ii) an additional north bound left turn lane on Senator Royall Drive at it's intersection with W. Mallard Creek Church Road (the existing median in Senator Royall Drive must maintain a minimum width of eight (8) feet), (iii) a 100 foot right turn lane on W. Mallard Creek Church Road for the right-in right-out access located east of the intersection of Senator Royall Drive and W. Mallard Creek Church Road, (iv) a sidewalk or multi-use trail as required along Parcel B frontage on Senator Royall Drive and (v) along Parcel B frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail.

b. **Public Street abutting Parcel A and certain Senator Royall Drive Improvements (project # 3).** Up to 35,000 square feet of gross floor area of retail and restaurant uses and up to 200 hotel rooms or a lesser amount of hotel rooms and a greater amount of retail and restaurants uses as allowed by the conversion rights above on Parcel A upon the construction of: (i) the public street along the southern boundary of Parcel A, (ii) the extension of the existing southbound outside travel lane on Senator Royall Drive for approximately 700 feet to the first full movement intersection located on the Site, (iii) channelized north bound dual right turn lanes with protected traffic signal phasing on Senator Royall Drive and its intersection with W. Mallard Creek Church Road, (iv) a 100 foot right turn lane on W. Mallard Creek Church Road for the right-in right-out access located west of the intersection of Senator Royall Drive and W. Mallard Creek Church Road, (v) a sidewalk or multi-use trail as required along Parcel A frontage on Senator Royall Drive, and (vi) along Parcel A frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail. The Petitioner will be responsible for traffic signal modifications at Senator Royall Drive at W. Mallard Creek Church Road if CDOT review of the intersection improvements determines that traffic signal modifications are required to accommodate safe pedestrian movements in all four directions as a result of the required northbound approach lanuage.

c. **Public Streets Abutting Parcel C, and Improvements at I-85 southbound ramp at W. Mallard Creek Church Road (project #4).** Up to 300 multi-family dwelling units allowed on Parcel C upon the construction of: (i) the public street shown on Parcel C, (ii) an additional southbound right turn lane on the I-85 southbound ramp at W. Mallard Creek Church Road, (iii) channelized dual right turn lanes with protected traffic signal phasing at the southbound I-85 exit ramp at W. Mallard Creek Church Road; and (iv) a sidewalk as required along Parcel C frontage on Senator Royall Drive.

5. Timing of Completion of Road Improvements and Right-of-Way.

a. The roadway improvements referenced in Section 4 a - c. above must be substantially completed prior to the issuance of the final certificate of occupancy for the first space/unit located with the referenced development, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time the first certificate of occupancy is issued.

b. It is understood that some of the roadway improvements referenced in Section 4 may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with condemnation of any such land. In such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such condemnation proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

6. Access and Right-of-way Dedication:

a. The Petitioner will provide along the Site's W. Mallard Creek Church Road frontage a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 10 foot multi-use trail. These improvements will be installed along the Site's W. Mallard Creek Church Road frontage as development occurs on each of the Parcels abutting W. Mallard Creek Church Road

b. All new streets shall be designed per CDOT and Subdivision standards.

c. Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-1). The number and locations of driveways connecting to the interior public streets is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the land development process.

d. The placements and configurations of these vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT and/or the North Carolina Department of Transportation ("NCDOT").

7. Streetscape, Landscaping Open Space and Screening:

a. Necessary setbacks and streetscape treatment along Senator Royall and the proposed new public streets will be constructed as generally depicted on the Rezoning Plan, and as modified by the Optional Provisions.

b. A network of streets and pedestrian walkways or paths will be provided in the manner generally depicted on the Technical Data Sheet. Pedestrian and vehicular connections shall be created along all internal streets. Where internal sidewalks are located between buildings and parking bays, a sidewalk at least five feet in width shall be provided with either curb or wheelstops as protection.

c. Each of the Parcels will include improved open space areas as generally indicated on the Schematic Site Plan. These open space areas will be improved with landscaping, walkways, seating areas and other amenities appropriate to the type of open space provided.

d. A multi-use path/trail at least six (6) feet wide will be developed throughout the Site that links each of the Parcels as generally illustrated on the Schematic Plan. Links from adjoining properties to this path/trail as generally illustrated on the Schematic plan will be allowed to provide for an eventual connection to the Greenway located within the University Research Park.

8. Architectural Standards.

a. Setbacks, Side Yards, Rear Yards, and Build Heights

i. All buildings constructed on Parcels A, B, and C of the Site shall satisfy or exceed the rear yard, and side yard established under the Ordinance for the RE-3 zoning district, and as indicated in the Optional provisions above.

ii. The setback along the future public streets will be at a minimum 15 feet from the back of the curb. The setback along Senator Royall Drive will be 18 feet as measured from the future back of curb for Parcel A and Parcel C, and 14 feet as measured from the future back of curb for Parcel B. The setback for Parcel C along existing Alexander Village Main Drive will be 14 feet as measured from the back of curb.

ii. The Site may be considered a unified development plan and as such internal separation standards such as buffers, side and/or rear yards may be eliminated, subject to the normally required Staff review and approval process.

iii. Building heights shall not exceed 90 feet or 8 stories, whichever is less

iv. Within the proposed 50 foot landscape setback off of W. Mallard Creek Church Road the Petitioner will create and attractive landscape treatment composed of new large and small maturing trees, evergreen and deciduous shrub, and areas of seasonal color. Existing trees within the landscape setback may be preserved when the existing trees enhance the appearance of the landscape setback. A 10 foot multi-use trail will included within 50 landscape setback, the trail may be located in the right-of-way of W. Mallard Creek Church Road

b. Design and Performance Standards

The development depicted on the Technical Data Sheet (RZ-1) is schematic in nature and intended to describe the general arrangement of uses on the Site. Once a specific development plan is proposed, it is understood that the Petitioner will submit specific site improvements to the RE-3 review process including; building layout, parking and circulation, open space, architecture elevations, signage, etc.

i. Landscaping and Screening will be provided as required by the Ordinance.

ii. Parking and Loading will be in accordance with the Ordinance.

c. Architectural and Design Controls

i. Buildings fronting on Senator Royall Drive will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided through the introduction of articulated facades and other specially designed architectural elements.

ii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a five (5) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided through out the Site.

iii. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on Parcels A and B must be designed using a similar: (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

iv. The buildings constructed on the Site will use a variety of building materials. The building materials used on the buildings constructed on Parcels A, B will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EFIS or wood. At least 30% of each building façade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, precast concrete or precast stone. Vinyl as a building material may only be used on windows and soffits.

v. The building materials used on the buildings constructed on Parcel C will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, or wood. At least 37% of the exterior of each building exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, precast stone or precast concrete. Vinyl as a building material may only be used on windows and soffits.

vi. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

vii. If breezeways are included in the proposed multi-family buildings on the Site, the breezeways shall be framed with architectural elements to minimize the size of the breezeway opening and to provide the appearance of an enclosed breezeway.

9. Environmental Features:

a. Development on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance (PCCO) and Tree Ordinance.

b. The storm water/water quality pond constructed on Parcel D will be designed as a wet pond.

10. Signage:

a. The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that re-enforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

b. A sign identifying the University Research Park may be placed on the Site as recommend by the adopted University Research Park Charlotte Area Plan.

11. Lighting:

a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks

b. Detached lighting on the Site will be regulated by the Ordinance.

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.

12. Amendments to the Rezoning Plan:

a. 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 herein and of Chapter 6 of the Ordinance.

13. Binding Effect of the Rezoning Application:

a. 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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.