2 ~~1/16/18~~ 02/12/18

REZONING PETITION NO. 2017-180

SITE DEVELOPMENT DATA:

ACREAGE:	± 66.90 ACRES
TAX PARCEL NUMBERS:	111-461-03, 111-461-04, 111-461-05, 111-461-08, AND 111-461-09
EXISTING ZONING:	R-3
PROPOSED ZONING:	MX-1 AND NS
EXISTING USES:	RESIDENTIAL FARM
PROPOSED USES:	NON-RESIDENTIAL AND RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT ON THE PORTION OF THE SITE ZONED NS AND USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MX-1 ZONING DISTRICT ON THE PORTION OF THE SITE ZONED MX-1 (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:	WITHIN THE NS ZONING DISTRICT UP TO: (i) 45,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, GENERAL AND MEDICAL OFFICE USES, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE), PERSONAL SERVICES, AND OTHER COMMERCIAL USES (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3); (ii) 5,000 SQUARE FEET OF GROSS FLOOR AREA FOR AN ART GALLERY, ART STUDIO, CULTURAL ARTS FACILITY THAT MAY ALSO INCLUDE A RESIDENTIAL UNIT (THIS ALLOWED USE WILL BE LOCATED WITHIN THE EXISTING HOME LOCATED ON THE SITE); AND (iii) 350 MULTI-FAMILY RESIDENTIAL DWELLING UNITS. WITHIN THE MX-1 ZONING DISTRICT UP TO 75 DETACHED DWELLING UNITS.
MAXIMUM BUILDING HEIGHT:	IN THE AREA ZONED MX-1, BUILDING HEIGHT AS SPECIFIED BY THE ORDINANCE WILL BE ALLOWED. IN THE AREA ZONED NS, BUILDING HEIGHTS WILL BE LIMITED TO A MAXIMUM OF THREE (3) STORIES AND 50 FEET. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
PARKING:	AS REQUIRED BY THE ORDINANCE.

VICINITY MAP
NTS

SITE LEGEND

- TRAFFIC DIRECTIONAL ARROW
- ACC — ACCESSIBLE PARKING STALL
- VAN — VAN ACCESSIBLE PARKING STALL
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- TREE-SAVE AREA
- MX-1 BUILDING ENVELOPE
- OPEN SPACE/AMENITY AREA
- CONCRETE SIDEWALK

EXISTING ALBEMARLE ROAD (VARIABLE WIDTH PUBLIC R/W)

MINT HILL ETJ

DIRECTIONAL CROSSOVER

PROPOSED SIGNALIZED INTERSECTION

PROPOSED RIGHT TURN LANE

PROPOSED BACK OF CURB 47' FROM EXISTING CENTERLINE

8' PLANTING STRIP

12' MULTIPATH 2' FROM ROW

2 CATS BUS STOP PAD (FINAL LOCATION TBD)

PROPOSED RIGHT TURN LANE

PROPERTY LINE (TYP.)

EXISTING INTERSTATE 485 (VARIABLE WIDTH PUBLIC R/W)

30' SETBACK (TYP.)

PUBLIC STREET "A" (VARIABLE WIDTH PUBLIC R/W)

PUBLIC STREET "B" (77' WIDE PUBLIC R/W)

RESIDENTIAL BUILDING 1 — RESIDENTIAL BUILDING 2 — RESIDENTIAL BUILDING 3 — RESIDENTIAL BUILDING 4 — RESIDENTIAL BUILDING 5 — RESIDENTIAL BUILDING 6 — RESIDENTIAL BUILDING 7 — RESIDENTIAL BUILDING 8 — RESIDENTIAL BUILDING 9 — RESIDENTIAL BUILDING 10 — RESIDENTIAL BUILDING 11 — RESIDENTIAL BUILDING 12

RETAIL BUILDING A — RETAIL BUILDING B — RETAIL BUILDING C

RESTAURANT WITH DRIVE-THRU D

C-STORE E — GAS PUMPS

CULTURAL ARTS FACILITY F

GARAGE

OUTDOOR AMENITY AREA

OUTDOOR PATIO AREA

RESIDENT AMENITY

PROPERTY LINE (TYP.)

PROPOSED DUMPSTER LOCATION

POSSIBLE MAIL KIOSK LOCATION

EXISTING TREES TO REMAIN

PROPOSED TRASH COMPACTOR LOCATION

ZONING LINE

FUTURE ROAD CONNECTION/EXTENSION (TO BE EXTENDED PER THE SUBDIVISION ORDINANCE REGULATIONS)

PROPOSED STORMWATER MANAGEMENT FACILITY

WOODBURY SUBDIVISION Mb. 48, Pg. 958 R-3

DEVELOPMENT AREA "B" (NS)

DEVELOPMENT AREA "A" (MX-1)

50' BUFFER (TYP.)

20' BUFFER (TYP.)

TREE-SAVE AREA (TYP.) ±16.6% OVERALL SITE ±11.11 ACRES

EXISTING POND BANK (TYP.)

EXISTING POND

50' UNDISTURBED PCSO BUFFER (TYP.)

100' UNDISTURBED PCSO BUFFER (TYP.)

MX-1 BUILDING ENVELOPE

EXISTING BRISTLEY ROAD (VARIABLE WIDTH PUBLIC R/W)

FUTURE ROAD CONNECTION/EXTENSION (TO BE EXTENDED PER THE SUBDIVISION ORDINANCE REGULATIONS)

PROPERTY LINE (TYP.)

NC STATE PLANE NAD 83

GRAPHIC SCALE

100 0 50 100 200

1 inch = 100 ft.

PRELIMINARY DRAWING – NOT RELEASED FOR CONSTRUCTION

THE JOHN R. McADAMS COMPANY, INC.
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NORTH CAROLINA PROFESSIONAL SEAL 035713 ENGINEER ROBERT M. REDDICK, JR.

Not for Construction

REVISIONS:

1 REVISIONS PER 1ST REVIEW 01-16-2018

2 REVISIONS PER 2ND REVIEW 02-12-2018

OWNER:

J S HELMS FAMILY PROPERTIES, LLC.
11901 ALBEMARLE ROAD
CHARLOTTE, NC 28227

LEMMOND FARM
ALBEMARLE ROAD
CHARLOTTE, NORTH CAROLINA

REZONING CONCEPT PLAN

PROJECT NO.	ALL-17030
FILENAME:	ALL17030-RZ1
CHECKED BY:	RMR
DRAWN BY:	AJB
SCALE:	1"=100'
DATE:	01-16-18
SHEET NO.	RZ-1

McADAMS

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1. General Provisions:

a. **Site Location**. These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by JS Helms Family Properties ("Petitioner") to accommodate development of a residential based pedestrian-friendly mixed-use community on an approximately 66.90 acres (the "Site").

b. **Zoning Districts/Ordinance**. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the NS zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site; and (ii) the regulations established under the Ordinance for the MX-1 zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below.

c. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets 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 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; Accessory Building Design**. Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned NS and developed for residential and commercial uses (retail, EDEE, office, personal service uses), shall not exceed 25; and (ii) on the portion of the Site zoned MX-1 and developed for detached residential dwellings shall not exceed 75 lots. Accessory buildings and structures located on the Site, including, without limitation, community clubhouse, recreation and related uses, shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. **Planned/Unified Development**. The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site as a whole and not individual portions, Development Areas or lots located therein.

f. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

2. Permitted Uses, Development Area Limitations, and Transfer & Conversion Rights:

a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

b. Development Area A may be developed with up to 75 detached dwelling units together with accessory uses in MX-1 Innovative zoning district, including, without limitation, community clubhouse, recreation, and related uses (e.g. improved passive and active open spaces, picnic shelters, gazebos, ball fields, maintenance buildings, outdoor recreational uses, and other uses typically associated with residential communities etc.).

c. Subject to the restrictions, limitations, listed below, the principal buildings constructed within Development Area B may be developed with (i) up to 45,000 square feet of gross floor area of retail, Eating Drinking Entertainment Establishment (EDEE), a gas station convenience store with or without gasoline sales, and personal services uses; (ii) 5,000 square feet of gross floor area for an art gallery, art studio, cultural arts facility that may also include a residential unit (this allowed use will be located within the existing home located on the Site); and (iii) 350 multi-family residential dwelling units, together with accessory uses as allowed in the NS zoning district. One (1) use with an accessory drive-through window may be constructed within Development Area B and only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

d. Only one use with an accessory drive-through window will be allowed within Development Area B as generally depicted on the Rezoning Plan. Only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments, locksmiths, and alike (uses that are similar to the items listed but have not been listed but share the common trait that the primary purpose of the use is the sale of a service rather than goods).

3. Transportation Improvements and Access:

I. Proposed Improvements:

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:

The following Transportation Improvements are also illustrated on Exhibit 1 and 2 on Sheet RZ-1 of the Rezoning Plan. The Exhibits on Sheet RZ-01 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on Exhibits 1 and 2 for the proposed improvement).

The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed by the rezoning Plan:

a. Albemarle Road (NC 24/27) & Denbur Drive (signalized)

- Re-mark the existing marked out pavement island and shift the existing raised median to the east on Denbur Drive for a 2nd southbound left turn lane with 150 feet of storage and a bay taper that terminates at the end of the existing painted island.
- Modify the southbound right turn lane on Denbur Drive to "Yield" control with the inclusion of a median island (no longer under traffic signal control).
- Extend the existing westbound left turn lane storage on Albemarle Road from 250 feet to 500 feet with a 75-100 foot bay taper (all within the existing raised median).
- Positively offset the eastbound and westbound left-turn lanes and maintain protection/permissive (FYA) phasing.
- Construct a u-turn bulb on the south side of Albemarle Road at the intersection for safe maneuvering of u-turn vehicular movements.
- It should be noted that there are no pedestrian amenities (i.e. sidewalks, crosswalks, pedestrian signal heads/pushbuttons, etc.) at the intersection; however, these improvements (including appropriate sidewalks) should be installed on the north leg of the intersection (across Denbur Drive).

b. Albemarle Road (NC 24/27) & Proposed Directional X-Over Access "A" (signalized)

- Construct an eastbound directional x-over on Albemarle Road with 225 feet of storage and an appropriate bay taper (within the existing median).
- Construct a westbound right turn lane on Albemarle Road with 100 feet of storage and an appropriate bay taper.
- Construct Proposed Directional X-Over Access "A" with one ingress lane and one egress lane that terminates as a right turn lane at Albemarle Road. The existing median on Albemarle Road will eliminate left entering and left exiting vehicular movements.
- Install a traffic signal with permitted/protected signal phasing for the eastbound left turn movement on Albemarle Road. The eastbound thru movements are not under traffic signal control.
- Construct Access A with and internal protected stem of 250 feet.

c. Albemarle Road (NC 24/27) & Proposed RI/RO Only Access "B" (unsignalized)

- Construct a westbound right turn lane on Albemarle Road with 100 feet of storage and an appropriate bay taper.
- Construct Proposed RI/RO Access "B" with one ingress lane and one egress lane that terminates as a right turn lane at Albemarle Road. The existing median on Albemarle Road will eliminate left entering and left exiting vehicular movements.
- Construct Access B with an internal protected stem of 250 feet.

d. Albemarle Road (NC 24/27) & Proposed RI/RO Only Access "C" (unsignalized)

- Construct a westbound right turn lane on Albemarle Road with 100 feet of storage and an appropriate bay taper.
- Construct Proposed RI/RO Access "C" with one ingress lane and one egress lane that terminates as a right turn lane at Albemarle Road. The existing median on Albemarle Road will eliminate left entering and left exiting vehicular movements.
- Construct Access C with an internal protected stem of 125 feet.

e. Albemarle Road at Wilgrove-Mint Road (signalized).

- Extend the westbound left-turn lane on Albemarle Road to the maximum storage allowable between the median openings approximately 500 feet with a 75 foot bay taper.
- Positively offset the eastbound and westbound left-turn lanes on Albemarle Road and maintain protected/permissible (FYA) phasing.
- Extend the eastbound left-turn lane storage on Albemarle Road to a minimum of 300 feet with an appropriate taper.
- Create a separate northbound right turn lane on Wilgrove Mint Hill Road to eastbound Albemarle Road with 200 feet of storage with an appropriate taper.

II. Standards, Phasing and Other Provisions.

a. CDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad gas Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 3.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 3.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

c. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, 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, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access, and Pedestrian Circulation.

a. Access to the Site will be from Albemarle Road and Brisley Road as generally depicted on the Rezoning Plan. The connection and extension of Brisley Road into the Site will occur as required by the Subdivision regulations.

b. The number and location of access points to the internal public streets will be determined during the building permit process and thereafter additional or fewer driveways and/or additional private/public streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations.

c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

d. The Petitioner will build two (2) Public Streets and one (1) private drive to access the Site from Albemarle Road as generally depicted on the Rezoning Plan. These two (2) public streets will be built to meet USDG standards.

e. The Petitioner will dedicate 70 feet of right-of-way from the existing center line of Albemarle Road to the City of Charlotte prior to the issuance of the first certificate of occupancy.

f. The Petitioner will dedicate and convey via a fee simple deed any additional right-of-way indicated on the proposed site plan prior to the issuance of the first certificate of occupancy. Right-of-way conveyance along the internal public streets to be located two feet behind the sidewalk or a two (2) utility easement to be provided behind the sidewalk if two (2) feet right-of-way cannot be conveyed behind the sidewalk.

4. Architectural Standards and Parking Location Restrictions:

a. The principal buildings constructed on the Site (Development Areas A and B) may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementatious siding (such as hardy-plank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

b. Parking and maneuvering for parking will not be allowed between the proposed buildings in Development Areas B located at the intersections of Albemarle Road and Public Street A and B as generally depicted on the Rezoning Petition. Parking areas may be located to the side of the proposed buildings and as otherwise indicated on the Rezoning Plan along Albemarle Road.

c. The building placement and site design, of the proposed non-residential buildings (except for the existing home that will be re-used) within Development Area B, shall focus on and enhance the pedestrian environment along Public Street A and B through the following:

i. Buildings shall be placed so as to present a front or side façade to all public streets.

ii. Facades fronting on Public Street A shall include a combination of windows and operable doors for a minimum of 40% of each frontage elevation transparent glass between 3' and 10' feet on the first floor. Up to 25% of this requirement may be comprised of display windows. Windows within this zone shall not be screened by film, decals, and other opaque material or, glazing finishes.

iii. The facades of first/ground of the buildings along Public Street A and B shall incorporate a minimum of 20% masonry materials such as brick or stone.

iv. Direct pedestrian connection should be provided between street facing doors (when required or provided), to sidewalks on Street A and B.

v. Operable doors spacing shall not exceed 75 feet along Street A.

vi. Building elevations shall not have expanses of blank wall greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

vii. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

viii. The minimum height of one-story non-residential buildings constructed within Development Areas B will be a minimum 22 feet including architectural elements. This will not apply to the existing single-family home located on the Site that is to be re-used as a cultural arts facility. (this minimum height requirement for non-residential units does not apply to accessory detached garages associated with the multi-family units).

d. The non-residential buildings shall provide street level, pedestrian oriented active uses along Public Street A.

e. The Street Walls of the non-residential buildings constructed within Development Area B abutting Albemarle Road and Public Street B will be treated with a combination of the following features: (i) windows with applied graphic images; (ii) internally illuminated window boxes with applied graphic images; (iii) vertical elements such as art work and/or decorative garden and landscape elements; (iv) decorative lighting elements; and (v) landscaped areas composed of a combination of large and small maturing evergreen and deciduous trees, evergreen and deciduous shrubs and seasonal color.

5. Design Guidelines for Residential Buildings Located Within Development Area B:

a. Preferred Exterior Building Materials: All principal and accessory buildings abutting Public Street A and B shall comprise a minimum of 15% of that building's entire façade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

b. Prohibited Exterior Building Materials:

i. Vinyl siding (but not vinyl hand rails, windows or door trim).

ii. Concrete Masonry Units not architecturally finished.

c. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

i. Buildings shall be placed so as to present a front or side façade to Public Street A and B, and the internal open spaces as generally depicted on the Rezoning Plan.

ii. Buildings shall front a minimum of 50% of the total Public Street A and B street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).

iii. Parking lots shall not be located between any building and Public Street A and B as generally depicted on the Rezoning Plan. Parking may be located to the side of the buildings.

iv. Driveways intended to serve single units shall be prohibited on all network required streets.

d. Building Massing and Height shall be designed to break up long monolithic building forms as follows:

i. Buildings exceeding 135 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 4 feet extending through the building.

e. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

i. Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

ii. Building elevations facing Public Street A and B shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

f. Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

g. Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.

ii. For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

iii. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

h. Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

i. Sidewalk extensions should be provided between all street trees on all public and private streets when parking is adjacent.

j. All residential ground floor units will have entrances facing Public Street A and B as well as the open space areas. The entrances will be connected to the adjoining streets or open space.

6. Streetscape, Landscaping and Buffer:

a. Setbacks and yards as required by the MX-1 zoning district will be provided. Along I-485 a 30 foot setback as measured from the existing right-of-way will be provided.

b. Within Development Areas B a minimum building and parking setback of 30 feet as measured from the future right-of-way for Albemarle Road will be provided as generally depicted. The future back of curb location along Albemarle Road will be located a minimum of 47 feet as measured from the existing center line of Albemarle Road.

c. Along Public Street A and B a minimum building setback of 24 feet as measured from the back of curb will be provided. Along I-485 within Development Area B a 30 foot setback from the existing right-of-way will be provided.

d. A 50 foot Class C buffer will be provided between the proposed uses in Development Area B and the adjoining Woodbury Neighborhood. Within Development Area A a 20 foot Class C Buffer will be provided adjacent to the Woodbury Neighborhood as generally depicted on the Rezoning Plan.

e. The Petitioner will construct along the Site's frontage on Albemarle Road a 12 foot multi-use path (MUP). The MUP will be located two (2) feet from the right-of-way line for Albemarle Road as generally depicted on the Rezoning Plan.

f. Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links all of the principal buildings on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks with the portion of the Site zoned NS will be six (6) feet and within the portions of the Site zoned MX-1 will be a minimum of five (5) feet.

7. Environmental Features

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

b. ~~The Site will comply with the requirements of the City of Charlotte Tree Ordinance.~~ Per correspondence with Pete Grisewood and Stan Armstrong of Urban Forestry on August 18, 2017, it was determined that a minimum and overall 15% Tree Save for the site is acceptable as a rezoning condition of approval. +- 16.6% overall site Tree Save or +- 11.11 acres is proposed for the overall site. Since the site design and layout has not been determined within the MX-1 zoning district, the +- 16.6% overall site Tree Save may be reduced to no lower than 15% OR +- 10.03 acres.

8. Plazas and Open Space:

a. The Petitioner will provide a series of passive and active open space areas throughout the Site as generally depicted on the Rezoning Plan (the exact location and configuration of these open space areas may vary from what is illustrated; the final locations and configuration of the open space areas will be determined/finalized during each phase of the approval process). The existing pond on the Site will be preserved. The existing pond may be used to meet storm water and water quality requirements.

9. Signage:

a. Signage as allowed by the Ordinance may be provided.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.

11. CATS Waiting Pad for a New Bus Stop On Albemarle Road:

The Petitioner will construct a bus stop along the Site's frontage on Albemarle Road where it does not conflict with the proposed right turn lanes into the Site. The bus stop will be designed and constructed per Charlotte Land Development Standard 60.01B. The location of the bus stop to be determined during the land development permitting process for the Site.

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 or 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 and their respective heirs, devisees, personal representatives, successors in interest or assigns.

PRELIMINARY DRAWING – NOT RELEASED FOR CONSTRUCTION

THE JOHN R. McADAMS COMPANY, INC.
3436 Torington Way
Suite 150
Charlotte, North Carolina 28277
License No.: C-0293
(800) 733-5646 • McAdamsCo.com

REVISIONS:
1 REVISIONS PER 1ST REVIEW 01-16-2018
2 REVISIONS PER 2ND REVIEW 02-12-2018

OWNER:
J S HELMS FAMILY PROPERTIES, LLC.
11901 ALBEMARLE ROAD
CHARLOTTE, NC 28227

LEMMOND FARM
ALBEMARLE ROAD
CHARLOTTE, NORTH CAROLINA

REZONING NOTES

PROJECT NO.	ALL-17030
FILENAME:	ALL17030-RZ1
CHECKED BY:	RMR
DRAWN BY:	AJB
SCALE:	N/A
DATE:	01-16-18
SHEET NO.	RZ-2

McADAMS

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