

Site Development Data:

- Acreage: ± 36.058 acres
- Tax Parcel #: 183-121-11
- Existing Zoning: MUDD-O
- Proposed Zoning: MUDD-O SPA
- Existing Uses: residential.
- Proposed Uses: Up to 854 multi-family dwelling units together with accessory uses, as allowed in the MUDD-O zoning district.
- Maximum Building Height: Up to five (5) stories and as indicated on the Rezoning Plan. Height to be measured as required by the Ordinance.
- Parking: As required by the Ordinance
- Open Space: A minimum of 15% of the Site will be established as tree save/open space areas as defined by the Ordinance

1. General Provisions:

a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Northwood Ravin Development to accommodate development of multi-family dwellings on an approximately 36.058 acre site located at 3924 Providence Road (the "Site").

b. Development of the Site will be governed by the attached Rezoning Site Plan and these Development Standards (collectively 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 establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning district classification shall govern development taking place on the Site.

c. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. Parking layouts and driveways for surface and structured parking may be modified to accommodate final building locations, and parking spaces may be located within the maximum building/parking envelopes and development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan.

e. 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 14. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

f. The redevelopment of the Site is planned to occur in phases. The improvements depicted on the site plan will be constructed as that portion of the Site is redeveloped as generally depicted on the Rezoning Plan.

2. Optional Provisions:

a. The following optional provisions shall apply to the development of the Site:

(i) As generally depicted on the Rezoning Plan, parking and maneuvering space shall be allowed between the rear of Building # 3 and the internal private street along the private drive that extends through the center of Building # 3, as generally depicted on the Rezoning Plan.

(ii) The existing buildings, parking and maneuvering areas, amenities and other improvements located on the Site may remain in place and be utilized until such time that the relevant portions of the Site on which these improvements are located are redeveloped.

(iii) Sidewalk and planting strip width, near culvert at northern property line, will be determined during construction plan review and approved by CDOT and Engineering and Property Management.

3. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 854 multi-family dwelling units together with accessory uses allowed in the MUDD-O zoning district.
- b. Surface parking areas will not be allowed between Providence Road and the new buildings that abut Providence Road, provided, however, surface parking areas may be located to the side of the new buildings abutting Providence Road as generally depicted on the Rezoning Plan.
- c. Structured parking facilities may be located on the Site.

d. Those buildings designated as Building Nos. 1, 2, 4 and 5 on the Rezoning Plan are each located in a building envelope that is formed by the relevant adjacent internal streets and/or parking areas, and each of these buildings may rotate and/or change locations within their respective building envelopes at the option of Petitioner.

4. Transportation/Access Notes:

a. Except as described below in this subsection access to the Site will be from Providence Road as generally depicted on the Rezoning Plan. The Rezoning Plan, however, references a possible vehicular/pedestrian connection from the Site to that certain parcel located adjacent and to the south of the Site and known as Tax Parcel # 183-121-10 (the "Southern Adjacent Parcel"). In order to promote such a possible future vehicular/pedestrian connection between the Site and the Southern Adjacent Parcel, Petitioner agrees to the following provisions:

- (i) the Petitioner shall design the Site in such a manner to allow for one vehicular and pedestrian connection by way of a private street to permit pedestrians and automobiles between the Site and the Southern Adjacent Parcel (but not commercial truck traffic);
- (ii) as part of the development contemplated by this Rezoning Plan, such connection

will be installed by Petitioner to the common property line in substantially the location and containing substantially the same design generally depicted on the Rezoning Plan, including sidewalk improvements consisting of a 6 foot wide sidewalk and 8 foot wide planting strip on both sides of such private street;

(iii) minor adjustments in the location of the possible connection can be made in consultation with Planning Department during the Planned Multi-family review and approval process;

(iv) to the extent that development of the portion of the Site over which the possible connection is to be made occurs prior to redevelopment of the Southern Adjacent Parcel, the portion of the connection on the Site will be designed and constructed at the property line within ±2 feet above or below the existing grade of the Southern Adjacent Parcel to facilitate the connection;

(v) the connection shall be opened only upon the redevelopment of the Southern Adjacent Parcel in such a manner as to require, either by conditional rezoning conditions, subdivision requirements or other regulatory requirements, a vehicular and pedestrian connection from the Southern Adjacent Parcel to the Site;

(vi) once such connection is made it may not be gated and shall remain open to the public for pedestrians and automobiles (but not commercial truck traffic) by way of a private street connection; and

(vii) it is understood that no financial payment shall be due to either the Petitioner nor the owner of the Southern Adjacent Parcel for the connection except that such parties shall agree to bear the cost of the maintenance and repair of their respective portions of the connection pursuant to a reciprocal cross-easement agreement to be recorded in Mecklenburg County Public Registry.

b. Petitioner will dedicate in fee-simple to the City of Charlotte that portion of the Site's frontage on Providence Road that is more particularly depicted on the Rezoning Plan as right-of-way. This right-of-way dedication will occur prior to the issuance of the 327th certificate of occupancy for the first new building completed on the Site (bldg. # 3).

c. The Petitioner will design the primary driveway on Providence Road as a full movement signalized driveway as generally depicted on the Rezoning Plan.

d. Subject to the provisions and design described in Section 3.d. above the placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT/NCDOT, required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT/NCDOT in accordance with applicable published standards.

e. 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.

f. The southernmost vehicular access point into the Site from Providence Road shall be a private drive that extends from Providence Road, through the structured parking facility to the internal private street. A schematic design of this private drive is set out on the Rezoning Plan. This private drive will be open to the public for vehicular ingress and egress to and from the Site.

5. Architectural Standards:

a. The exterior building materials used on the new buildings to be constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, and/or wood. At least 35% 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 on the new buildings to be constructed on the Site may only be used on windows, soffits, trim and railings.

b. The maximum height in stories of each multi-family apartment building to be constructed on the Site is designated on the Rezoning Plan.

c. The buildings to be constructed on the Site may have a variety of architectural styles, however, such buildings shall be compatible to and complementary with the building previously constructed in terms of architectural style and character and exterior building materials.

d. The Rezoning Plan illustrates a number of accessory structures (garages) along the western property boundary. The number of these accessory structures (garages) that may be constructed along this western property boundary may vary from what is depicted. The garages shall have a maximum height of one story, and the garages shall be consistent with the principal buildings in terms of building materials, texture and color, but may have simplified architectural detailing and features.

e. A prominent pedestrian entry into building three (3) shall be provided at a grade differing from the grade of the public sidewalk along Providence Road, and shall be highly visible and architecturally treated as a prominent pedestrian entrance through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to the upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from the primary sidewalk; (xi) other elements to be determined during the urban plan review.

f. Meter banks will be screened.

g. HVAC and related mechanical equipment will be screened from public view at grade.

h. Exterior dumpster areas and recycling 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 buildings. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side. Additionally, dumpster and recycling areas may be located within structured parking facilities or within the interior of a building located on the Site, and any such dumpster and recycling areas may have roll up doors and containers can be moved outside to be emptied and then returned to the interior of the structured parking facility or a building.

6. Streetscape, Buffers and Landscaping:

a. Setbacks and yards as required by the Ordinance will be provided.

b. The Petitioner will provide eight (8) foot planting strips and six (6) foot sidewalks along the Site's frontage on Providence Road as generally depicted on

c. As generally depicted on the Rezoning Plan, Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public street. The minimum width for

this internal sidewalk will be five (5) feet.

d. Upon the demolition of the existing buildings located on the western boundary of the Site and a portion of the southern boundary of the Site adjacent to the existing single family homes on Columbine Circle (which is expected to occur last), Petitioner shall provide and establish a 50 foot rear yard and a 50 foot Class C buffer along the western boundary of the Site and a 50 foot Class C buffer along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. This 50 foot Class C buffer will be landscaped with a combination of trees and shrubs that will exceed the buffer requirements of the Ordinance. The width of the 50 foot Class C buffer may not be reduced. Accessory structures will not be allowed in the 50 foot Class C buffer.

e. Screening requirements of the Ordinance will be met.

f. Notwithstanding anything contained herein to the contrary and notwithstanding that the redevelopment of the Site is expected to occur in phases. The Petitioner has install a minimum six (6) foot tall masonry wall along a portion of the western boundary of the Site and along a portion of the southern boundary of the Site as generally depicted on the Rezoning Plan. The installation of this six (6) foot tall masonry wall shall not permit the width of the 50 foot Class C buffer to be reduced when such buffer is established as provided above.

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

7. Environmental Features:

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

b. 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

The Site will comply with the Tree Ordinance. Tree save areas are generally depicted on the Rezoning Plan but may be relocated to other portions of the Site during the design development and construction phases.

8. Open Space/Tree Save Areas/Greenway Conveyance:

a. Open space/tree save areas equaling 15% of the Site area will be provided. The open space/tree save areas depicted on the Rezoning Plan may be relocated to other locations on the Site. The area of the Site dedicated to County Parks and Recreation for a greenway may be used to meet this requirement.

b. Prior to the issuance of the last certificate of occupancy for the buildings constructed along McMullen Creek as generally depicted on the Rezoning Plan, Petitioner will dedicate and convey to Mecklenburg County Parks and Recreation for greenway purposes the area and access easement as generally depicted on the Rezoning Plan along McMullen Creek.

c. The amenity areas for the proposed multi-family residential community to be developed on the Site shall be located generally in those areas depicted on the Rezoning Plan. The existing amenity areas (developed as part of the original multi-family buildings constructed on the Site) located on Site may remain in place until such time as that portion of the Site is redeveloped.

9. Signage:

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

b. Signage may be installed on the screen walls located at or in proximity to the Site's frontage on Providence Road.

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 will be limited to 20 feet in height.

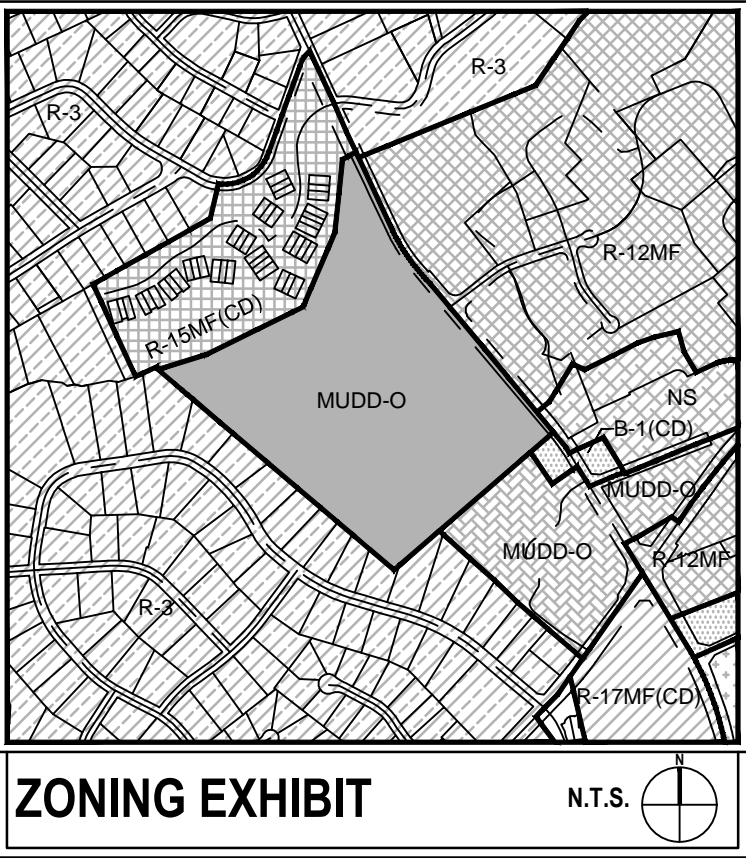
11. Amendments to the Rezoning Plan:

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 of Chapter 6 of the Ordinance.

12. 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 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.

b. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.



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DEVELOPMENT STANDARDS

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