



### Vicinity Map Not to Scale



# Site Data:

22322298

+/- 10.3 acres Parcel Acreage (Gross): Acreage in ROW: +/- 2.5 acres Site Acreage (Net): +/- 7.8 acres

> Existing: UR-3 (CD) Proposed:

**Total Residential Units:** Up to 200 Units (2 Buildings)

Floor Area Ratio Proposed: up to 2.0 Floor Area Ratio Maximum:

> Vacant **Multi-Family** Proposed: Residential Apartments

General Notes:

1. Base information obtained from ALTA/ACSM Land Title Survey of Parcel 223-222-98 Endhaven Lane, dated 10-22-13, and as applicable Mecklenburg County GIS Data, which should be verified for accuracy.

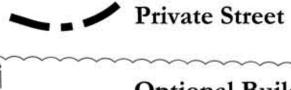
# Site Legend

**Property Line** 



Site Access

Public Street R.O.W.



Optional Building Envelope Location due to Grading

**Petition 2013-098** 





ESP Associates, P.A. engineering • surveying • planning

P.O. Box 7030 Charlotte, NC 28241 P - 704.583.4949 F - 704.583.4950 Fort Mill, SC 29708 P - 803.802.2440 F - 803.802.2515

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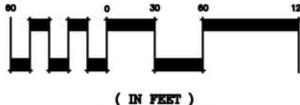
Trotter Builders 1515 Mockingbird Lane, Suite 900 Charlotte, NC 28209

**North Community** House Residences

**Technical Data Sheet** 

**Petition 2013-098** "For Public Hearing"

OJECT LOCATION	Charlotte,	North	Carolin
GRAPHIC	SCALE		



(IN FEET)

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PR	OJECT NO	E	BR19.100	_
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AG	ENCY / S	UBMI1	TAL REVISION	
VO.	DATE	BY	REVISION	
1	12/20/13	GW	staff comments	_
2	1/24/14	GW	staff comments	





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Not to Scale



Parcels:	22322298		
Parcel Acreage (Gross):	+/- 10.3 acres		
Acreage in ROW:	+/- 2.5 acres		
Site Acreage (Net):	+/- 7.8 acres		

Existing:	R-3
Proposed:	UR-3 (CD)

Total Residential Units:	Up to 200 Units
	(2 Buildings)

# up to 2.0

Existing:	Vacant
Proposed:	Multi-Family
	Residential
	Apartments

1. Base information obtained from ALTA/ACSM Land Title Survey of Parcel 223-222-98 Endhaven Lane, dated 10-22-13, and as applicable Mecklenburg County GIS Data, which should be verified for accuracy.



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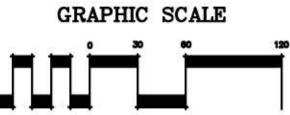
Trotter Builders 1515 Mockingbird Lane, Suite 900 Charlotte, NC 28209

# **North Community** House Residences



**Petition 2013-098** "For Public Hearing"

Charlotte, North Carolina PROJECT LOCATION



PR	OJECT NO	В	R19.100
DR	AWING	В	R19.100_ Concept Sketch Plan
DA	TE	0	9-20-2013
DR	AWN BY	G	AW
СН	ECKED BY	P	<b>r</b> .
AG	ENCY / S	UBMIT	TAL REVISION
NO.	DATE	BY	REVISION
1	12/20/13	GW	staff comments
2	1/24/14	GW	staff comments
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**Petition 2013-098** 



### DEVELOPMENT STANDARDS

#### **General Provisions:**

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Trotter Builders/William Trotter Company (the "Petitioner") to rezone an approximate 10.3 acre site located at the southeastern quadrant of Endhaven Lane and the future extension of North Community House Road (the "Site").

The purpose of this Petition is to request rezoning of the Site to the UR-3 (CD) Zoning District to accommodate the construction of up to 200 Multi - Family Dwelling Rental Apartment Units. UR-3 Zoning will enable the Petitioner to develop the Site in a manner that will emphasize the Site's unique features as a property located on the edge of the "Ballantyne Center" as identified in the City of Charlotte's CCW- Centers, Corridors and Wedges Policy Plan Document, creating a harmonious transition between the project and adjoining school properties to the north and east while providing essential right of way to be dedicated (+/- 2.5 Acres) that will be utilized to facilitate significant traffic infrastructure improvements (by others) connecting the Site to Ballantyne's work force and employment center through the extension of future North Community House Road from the Endhaven Lane intersection, across Interstate-485 into Ballantyne.

Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-3 Zoning District shall govern all development taking place on the Site, subject to the development standards set out herein.

The development depicted on the Site Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configurations, placement and sizes of individual Site elements may be altered or modified so long as the maximum building envelope lines and intensity limitations established on the Technical Data Sheet (TDS) are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the UR-3 Zoning District. However, any alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or its respective conditions as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

- 1. Permitted Uses: The Site may be developed with up to 200 multi-family rental 2 residential apartment dwelling units together with accessory structures and uses (e.g.) leasing office and clubhouse), as allowed in the UR-3 zoning district.
- 2. Transportation: Vehicular access to the Site will be provided from both Community House Road and Endhaven Lane as generally depicted on the Technical Data Sheet.
- A. The access locations will be provided to the site as generally depicted on the rezoning site plan. All access locations will be subject to the approval of CDOT.
- B. The proposed driveway connections to North Community House Road and Endhaven Lane will require a driveway permit to be submitted to CDOT for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The locations of the driveways shown on the site plan are subject to change in order to align with driveways on the opposite side of the street and comply with City Driveway Regulations and the City Tree
- C. Petitioner agrees to dedicate 100 feet of Right of Way along the site's ( Parcel ID #22322298) western property line for the construction of future extension of North Community House Road.
- D. Petitioner agrees to dedicate up to an additional 42 feet of right of way along the site's northern property line to allow for the construction of required improvements along the Endhaven Lane frontage. Petitioner agrees to construct a westbound left turn lane with up to 100 feet of stacking along Endhaven Lane to provide required full-movement vehicular access to the project's easternmost entrance. The left-turn lane needs to be designed using CDOT standards with a minimum of 100 feet of storage. This roadway improvement is required to meet the traffic demands of the proposed development.

### 3. Architectural Standards

~~~/2\ A. Attached hereto are Architectural Renderings of the front elevations of the multi-family residential apartment buildings proposed to be constructed on the site. These renderings are intended to depict the general architectural style, character and elements of these buildings. Modifications to the elevations will be per section 6.207 of the Zoning Ordinance.

B. Building Materials: Architectural Design Guidelines have been provided with this Rezoning Petition in order to define the Project's architectural character. The exterior elevations of all buildings constructed on the site will be constructed using the Design Guidelines, provided that a mixture of allowable exterior building materials listed below can change among individual buildings. The Design Guidelines provide examples of building design and includes allowable building materials, photographic examples of

allowable materials, and a series of vignettes. The vignettes (see page 7) are intended only to illustrate examples of a building facade that meets the criteria set forth in the Architectural Standards and is not a specific or binding building elevation, nor are they a full list of possibilities.

- Allowable exterior building materials
- a. Primary- External vertical elevations (exclusive of windows, doors and overhead entry doors) of all buildings shall be constructed with a minimum of 50% of the following materials:
  - i. Brick
  - ii. Natural Stone (or synthetic equivalent)
  - iii. Architecturally-finished Precast Concrete
  - iv. Decorative/architecturally finished Concrete Masonry Units (CMU)

b. Secondary- External vertical elevations (exclusive of windows, doors, and overhead entry doors) of all buildings shall be limited to a maximum of 50% of the following materials:

i. Stucco and Cenmentitious board or siding (30-40%) . Exterior Insulation & Finish Systems (EIFS)

- iii. Pre-finished Architectural Metal Panel Systems (10-20%)
- iv Tile Cladding Systems (i.e. Porcelain, ceramic, Granite, etc.)
- v. Window Trim
- vi. Metal Railing  $\frac{2}{1}$
- 2. Prohibited exterior building materials
  - a. Vinyl Siding. (However, vinyl may be used for window trims and soffits.)
  - b. Aluminum Horizontal Siding
- c. Concrete Masonry Units (CMU) without architecturally or decorative finish, except for retaining walls.

C. Building Base: A recognizable base shall be provided. A building base shall be maintained through material transitions and building articulation. Building base materials shall include, but are not limited to the following:

- 1. Ledges, sills, trim or banding
- 2. Integrally textured, colored, or patterned materials such as stone or brick. Base may be varied in height. A building base is not required at full height fenestrations (i.e. curtain wall system), and key entry elements.
- D. Massing and Development Scale: Facades shall be designed to reduce the mass, scale and uniform monolithic appearance of large unadorned walls, while providing visual interest. Large building facades shall be divided into distinct massing elements utilizing methods including but not limited to facade offsets, pilasters or change in materials. A roof line more than 120 feet in length shall include a change in height. This change in height shall align with the vertical building bays.

1.The building will be articulated through various façade articulations, material changes, windows, porches, and balconies.

- 2. At least 70% of the ground floor façade along North Community House and Endhaven Lane will be articulated principally through the use of windows, doors, balconies and breezeways/pedestrian access corridors
- 3. No spans of blank, unarticulated wall greater than 20' shall be permitted on any side of the proposed structures.
  - 4. Building materials should vary from the base floor to upper stories.
- E. Service Areas Screening: Building service areas (dumpsters, refuse areas and building loading docks) of all buildings will be screened from view with masonry walls. The walls will be a minimum of 5 feet in height and will be designed to match and complement the building architecture of the adjacent buildings. Architectural features such as, but not limited to, banding, medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest public street.
- 4. Parking: The Petitioner proposes to provide a combination of surface parking throughout the site, along with underground parking within Building B. Parking proposed underneath Building B will not be visible from North Community House Road. Applicant may incorporate up to 12 one-car garages with individual garage doors on the ground level of building A. Access may only be from the internal parking area on the eastern side of Building A. Garages will not face towards North Community House Road or Endhaven Lane.
- 5. Streetscape and Landscaping: Internal areas of the Site will be landscaped in accordance with requirements of the Ordinance. A six (6) foot wide public sidewalk, large maturing street trees (or small maturing trees 30' O.C. where utility wires exist) and an eight (8) foot wide planting strip area will be installed along North Community House Road/ Endhaven Lane frontages. The Petitioner will connect internal "private" sidewalks within the Site to the public sidewalk system along the future roadways in order to provide a pedestrian-friendly development.

A. A minimum of five (5) foot wide sidewalk access, internal to the Site, shall be provided to each multi-family residential apartment building.

B. Utilities located within the Site, such as meter boxes and back flow preventors, will be screened from view from the public street.

- C. All other screening and landscaping shall conform to the standards of the Ordinance.
- D. Petitioner shall provide pedestrian connections to the east side of North Community House Road and the southern edge of Endhaven Lane as generally depicted on the Conceptual Site Plan.

### 6. Amenities:

A. Amenities shall include a swimming pool, an indoor Clubhouse facility (integrated into the first floor of the building), outdoor seating areas and landscaping. An outdoor Amenity Pool area shall be provided in the location generally shown on the Conceptual Site Plan. The Petitioner reserves the right to locate the indoor Clubhouse facility and Amenity Pool area in proximity of Building A or Building B.

B. Open Space Areas: Open Space areas have been provided as part of the project. These areas include hardscape components that have been labeled and annotated within plan details as follows:

Building A(- a minimum 4000 square foot outdoor plaza area at the corner of North Community House Road and Endhaven Lane is being included to showcase the main building and create a sense of arrival for the project. This outdoor urban open space area includes a large decorative fountain with pedestrian scale site lighting, seating areas with possible umbrellas (seasonal), a low accent wall with potential signage, decorative walks with brick or stone pavement treatment, specialty hardscape components, various shrubs and canopy shade trees that transition into a lawn area along each project frontage.

Building B - a minimum 2700 square foot outdoor patio area with seating and other pedestrian related gathering areas with landscaping, shade trees, decorative walks with brick or stone pavement treatment, specialty hardscape components, a fabric canopy structure, and related lawn areas to promote and accommodate outdoor gatherings associated with the apartment community activities.

### 7. Environmental Features:

A. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of stormwater 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. Stormwater facilities shown on the Site Plan/Rezoning Plan are proposed to be underground, covered by Parking Area.

- C. Wetlands delineation, as applicable to the property will be provided upon submission of construction drawings for development on the Site.
- 8. Signage: Signage shall comply with the requirements of the Ordinance.

### 9. Lighting:

- A. The maximum height of any detached lighting fixtures erected on the Site shall not exceed twenty (20) feet in height.
- B. All freestanding lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed. However, low-level decorative lighting may be installed along driveways and parking areas.
  - C. Any attached lighting will be full cutoff fixture, fully shielded, downwardly directed.
- 10. Cell Tower: Applicant proposes to relocate the existing cell tower from its current location to an area in proximity as shown on the Site Plan. The final revised location shall comply with all requirements of Chapter 12 of the Zoning Ordinance. Cell Tower shall be screened with evergreen trees planted 4'-6' in height at a minimum of 12' on center.
- 11. Tree Save: Tree Save areas shall comply with the requirements of the Ordinance.
- 12. Amendments to Rezoning Plan: Future amendments to the Technical Data Sheet, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6.207 of the Ordinance.
- 13. Vested Rights: Pursuant to GS 160A-385.1, North Carolina General Statues and Section 1.110 of the Ordinance, the Petitioner requests 5 year vested rights as a result of the proposed development and market conditions.

### 14. Binding Effect of the Rezoning Documents and Definitions:

A. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.

B. Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.

C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

> **Petition 2013-098** RZ-3



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1515 Mockingbird Lane, Suite 900 Charlotte, NC 28209

# **North Community** House Residences

# Development **Standards**

**Petition 2013-098** "For Public Hearing"

| ROJECT LOCATION | Charlotte, | North | Carolina |
|-----------------|------------|-------|----------|
|                 |            |       |          |

| PR  | OJECT NO | L     | 3R19.100                       |  |
|-----|----------|-------|--------------------------------|--|
| DR  | AWING    | L     | BR19.100_ Technical Data Sheet |  |
| DA  | TE       | (     | 09-20-2013                     |  |
| DR  | AWN BY   | (     | gaw                            |  |
| СН  | ECKED BY | F     | ग                              |  |
| AG  | ENCY / S | UBMIT | TTAL REVISION                  |  |
| NO. | DATE     | BY    | REVISION                       |  |
| 1   | 12-20-13 | GW    | staff comments                 |  |
| 2   | 1-24-14  | GW    | staff comments                 |  |
|     |          | 8     |                                |  |
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# North Community House Residences







### **Table of Contents**

| Technical Data Sheet                   | 2  |
|----------------------------------------|----|
| Site Plan                              | 3  |
| Development Standards (Sections 1-2)   | 4  |
| Architectural Standards (Section 3)    | 5  |
| <ul> <li>Building Materials</li> </ul> |    |
| • Vignette                             |    |
| Parking and Streetscape (Sections 4-5) | 8  |
| Amenities (Section 6)                  | 9  |
| • Fountain Plaza                       |    |
| • Patio                                |    |
| Development Standards (Sections 7-14)  | 11 |
| Viewshed Analysis                      | 12 |



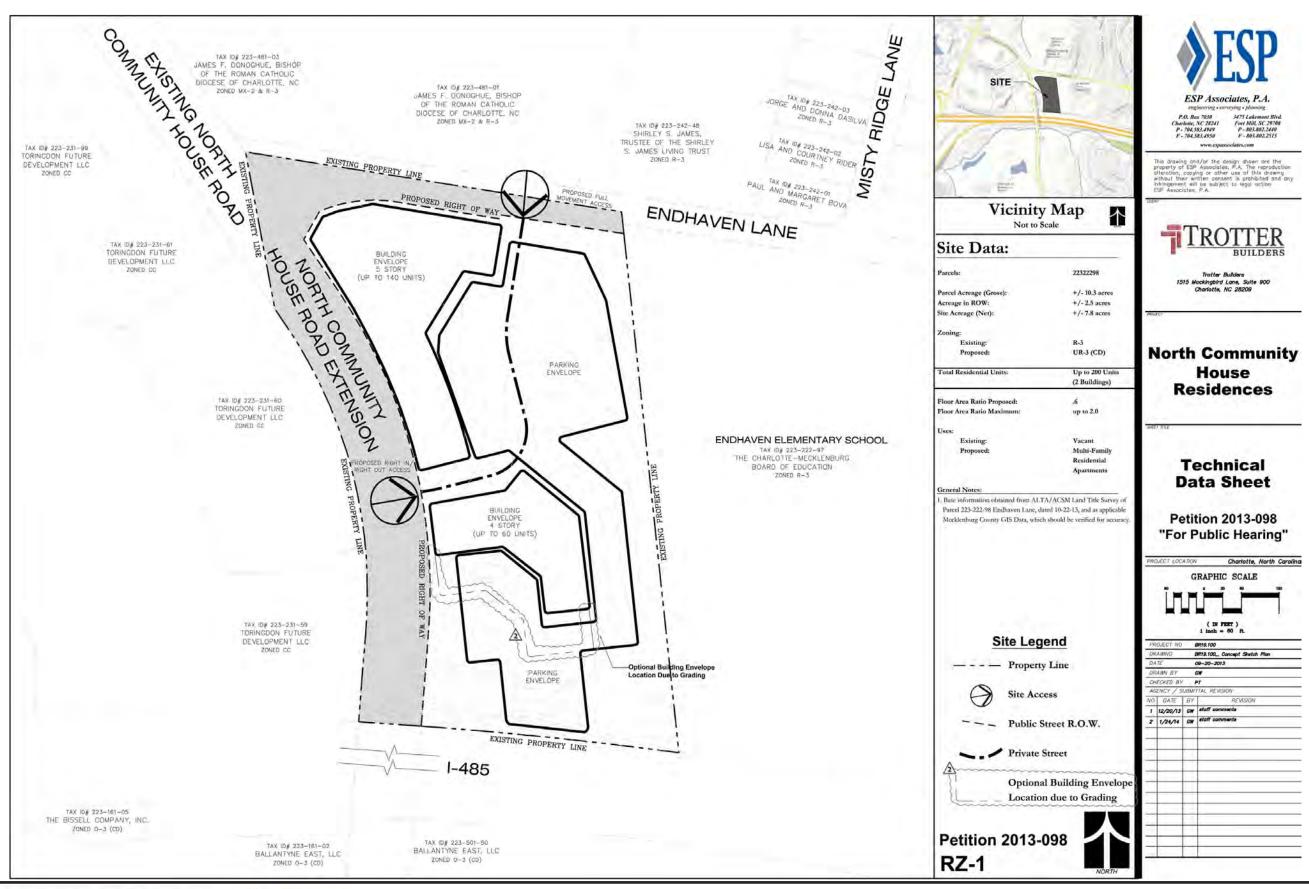
Note: Revised text provided throughout the updated pattern booklet, which corresponds with revisions made to sheets RZ-1 through RZ-3, has been bolded within the body of applicable amended paragraphs. Bolded revisions show up on the Development Standards Sheet RZ-3.

# North Community House Residences

























the Technical Data Sheet associated with the Rezoning Petition filed by Trotter Builders/William Trotter Company (the "Petitioner") to rezone an approximate 10.3 acre site located at the southeastern quadrant of Endhaven Lane and the future extension of North Community House Road (the "Site").

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- A. Attached hereto are **Architectural Renderings** of the front elevations of the multi-family residential apartment buildings proposed to be constructed on the site. These renderings are intended to depict the **general architectural style**, character and elements of these buildings. Modifications to the elevations will be per section 6.207 of the Zoning Ordinance.
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  - ii. Exterior Insulation & Finish Systems (EIFS)
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  - iv. Tile Cladding Systems (i.e. Porcelain, ceramic, Granite, etc.)
  - v. Window Trim
  - vi. Metal Railing
- 2. Prohibited exterior building materials
  - a. Vinyl Siding. (However, vinyl may be used for window trims and soffits.)
  - b. Aluminum Horizontal Siding
  - c. Concrete Masonry Units (CMU) without architecturally or decorative finish, except for retaining walls.



II. AT LEAST 70% OF THE GROUND FLOOR FAÇADE ALONG NORTH COMMUNITY HOUSE AND ENDHAVEN LANE WILL BE ARTICULATED PRINCIPALL' THROUGH THE USE OF WINDOWS, DOORS, BALCONIES AND BREEZEWAYS/ PEDESTRIAN ACCESS CORRIDORS.

III. NO SPANS OF BLANK, UNARTICULATED WALL GREATER THAN 20' IS PERMITTED ALONG NORTH COMMUNITY HOUSE OR ENDHAVEN LANE

IV. BUILDING MATERIALS SHOULD VARY FROM THE BASE FLOOR TO UPPER STORIES

BLDG A - N.COMMUNITY HOUSE ROAD ELEVATION







- C. **Building Base:** A recognizable base shall be provided. A building base shall be maintained through material tran sitions and building articulation. Building base materials shall include, but are not limited to the following:
  - 1. Ledges, sills, trim or banding
  - 2. Integrally textured, colored, or patterned materials such as stone or brick

Base may be varied in height. A building base is not required at full height fenestrations (i.e. curtain wall system), and key entry elements.

- D. Massing and development scale: Facades shall be designed to reduce the mass, scale and uni form monc lithic appearance of large unadorned walls, while providing visual interest. Large building facades shall be divided into distinct massing elements utilizing methods including but not limited to facade offsets, pilasters or change in materials. A roof line more than 120 feet in length shall include a change in height. This change in height shall align with the vertical building bays.
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  - 2. At least 70% of the ground floor façade along North Community House and Endhaven Lane will be articulated principally through the use of windows, doors, balconies and breezeways/pedestrian access corridors.
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  and will be designed to match and complement the
  building architecture of the adjacent buildings. Architectural features such as, but not limited to, banding,
  medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated
  blank treatment of such walls. Any fence or wall constructed along or adjacent to any sidewalk or street
  right-of-way requires a certificate issued by CDOT. Roof
  top HVAC and related mechanical equipment will be
  screened from public view at grade from the nearest
  public street.



BLDG B - INTERNAL STREET ELEVATION (NORTH ELEVATION)



### BLDG B - N.COMMUNITY HOUSE ROAD ELEVATION (WEST ELEVATION)

- NOTE:

  I. SETBACKS SHOULD VARY ALONG COMMUNITY HOUSE ROAD TO AVOID A SOLID WALL.
- II. AT LEAST 70% OF THE GROUND FLOOR FAÇADE ALONG NORTH COMMUNITY HOUSE AND ENDHAVEN LANE WILL BE ARTICULATED PRINCIPALLY THROUGH THE USE OF WINDOWS, DOORS, BALCONIES AND BREEZEWAYS/ PEDESTRIAN ACCESS CORRIDORS.
- II. NO SPANS OF BLANK, UNARTICULATED WALL GREATER THAN 20' IS PERMITTED ALONG NORTH COMMUNITY HOUSE OR ENDHAVEN LANE.
- IV. BUILDING MATERIALS SHOULD VARY FROM THE BASE FLOOR TO UPPER STORIE















4. **Parking:** The Petitioner proposes to provide a combination of surface parking throughout the site, along with underground parking within Building B. Parking proposed underneath Building B will not be visible from North Community House Road. Applicant may incorporate up to 12 one-car garages with individual garage doors on the ground level of Building A. Access may only be from the internal parking area on the eastern side of Building A. Garages will not **face** towards North Community House Road or Endhaven Lane.

- 5. **Streetscape and Landscaping:** Internal areas of the Site will be landscaped in accordance with requirements of the Ordinance. A six (6) foot wide public sidewalk, large maturing street trees (or small maturing trees 30' O.C. where utility wires exist) and an eight (8) foot wide planting strip area will be installed along North Community House Road/Endhaven Lane frontages. The Petitioner will connect internal "private" sidewalks within the Site to the public sidewalk system along the future roadways in order to provide a pedestrian-friendly development.
  - A minimum of five (5) foot wide sidewalk access, internal to the Site, shall be provided to each multi-family residential apartment building.
  - B. Utilities located within the Site, such as meter boxes and back flow preventors, will be screened from view from the public street.
  - C. All other screening and landscaping shall conform to the standards of the Ordinance.
  - Petitioner shall provide pedestrian connections to the east side of North Community House Road and the southern edge of Endhaven Lane as generally depicted on the Conceptual Site Plan.



24' Private Street

Section A-A'



Section Cut A-A'







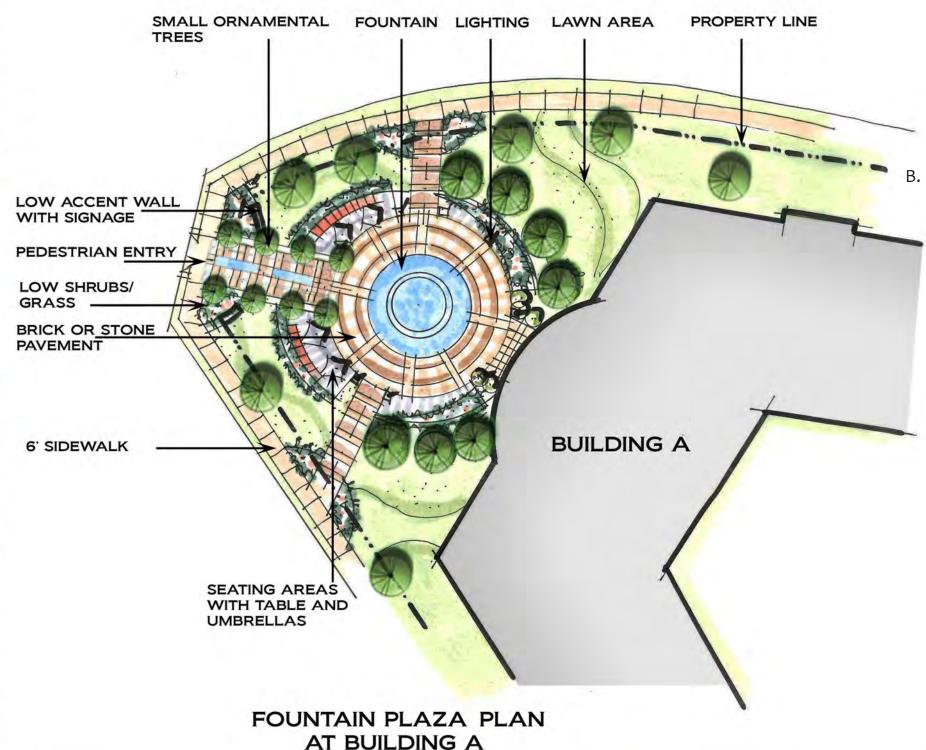
Dedicate Right of











**Amenities: Fountain Plaza Plan Detail** 

#### 6. **Amenities:**

Amenities shall include a swimming pool, an indoor Clubhouse facility (integrated into the first floor of the building), outdoor seating areas and landscaping. An outdoor Amenity Pool area shall be provided in the location generally shown on the Conceptual Site Plan. The Petitioner reserves the right to locate the indoor Clubhouse facility and Amenity Pool area in proximity of Building A or Building B.

**Open Space Areas:** Open Space areas have been provided as part of the project. These areas include **hardscape components** that have been labeled and annotated within plan details as follows:

Building A - a minimum 4000 square foot outdoor plaza at the corner of North Community House Road and Endhaven Lane to showcase the main building and create a sense of arrival for the project. This outdoor urban open space area includes a large decorative fountain with pedestrian scale site lighting, seating areas with possible umbrellas (seasonal), a low accent wall with potential signage, decorative walks with brick or stone pavement treatment, specialty hardscape components, various shrubs and canopy shade trees that transition into a lawn area along each project frontage.

Building B - a minimum 2700 square foot outdoor patio area with seating and other pedestrian related gathering areas with landscaping, shade trees, decorative walks with brick or stone pavement treatment, specialty hardscape components, a fabric canopy structure, and related lawn areas to promote and accommodate outdoor gatherings associated with the apartment community activities.





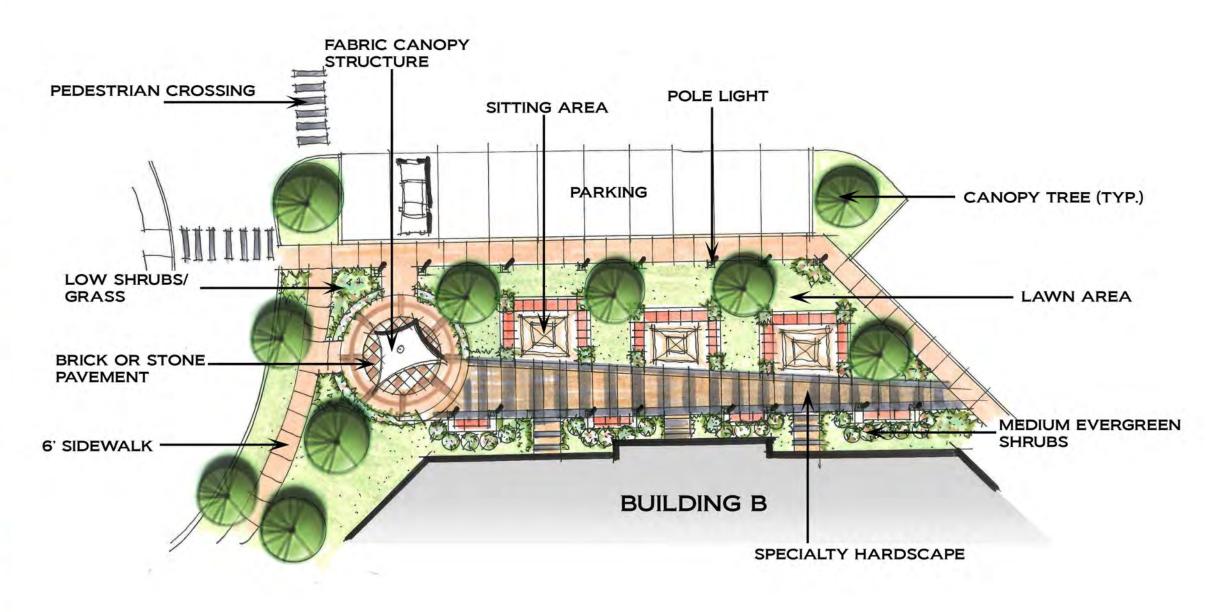












### PATIO AT BUILDING B PLAN

**Amenities: Patio Plan Detail** 







#### 7. Environmental Features:

- A. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of stormwater 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. Stormwater facilities shown on the **Site Plan**/Rezoning Plan are proposed to be underground, covered by Parking Area.
- C. Wetlands delineation, as applicable to the property will be provided upon submission of construction drawings for development on the Site.
- 8. **Signage:** Signage shall comply with the requirements of the Ordinance.
- 9. **Lighting:** 
  - A. The maximum height of any detached lighting fixtures erected on the Site shall not exceed twenty (20) feet in height.
  - B. All freestanding lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed. However, low-level decorative lighting may be installed along driveways and parking areas.
  - C. Any attached lighting will be full cutoff fixture, fully shielded, downwardly directed.
- 10. **Cell Tower:** Applicant proposes to relocate the existing cell tower from its current location to an area in proximity shown on the **Site Plan**. The final revised location shall comply with all requirements of Chapter 12 of the Zoning Ordinance. Cell Tower shall be screened with evergreen trees planted 4'-6' in height at a minimum of 12' on center.

- 11. **Tree Save:** Tree Save areas shall comply with the requirements of the Ordinance.
- Amendments to Rezoning Plan: Future amendments to the Technical Data Sheet, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6.207 of the Ordinance.
- 13. **Vested Rights:** Pursuant to GS 160A-385.1, North Carolina General Statues and Section 1.110 of the Ordinance, the Petitioner requests 5 year vested rights as a result of the proposed development and market conditions.

### 14. Binding Effect of the Rezoning Documents and Definitions:

- A. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



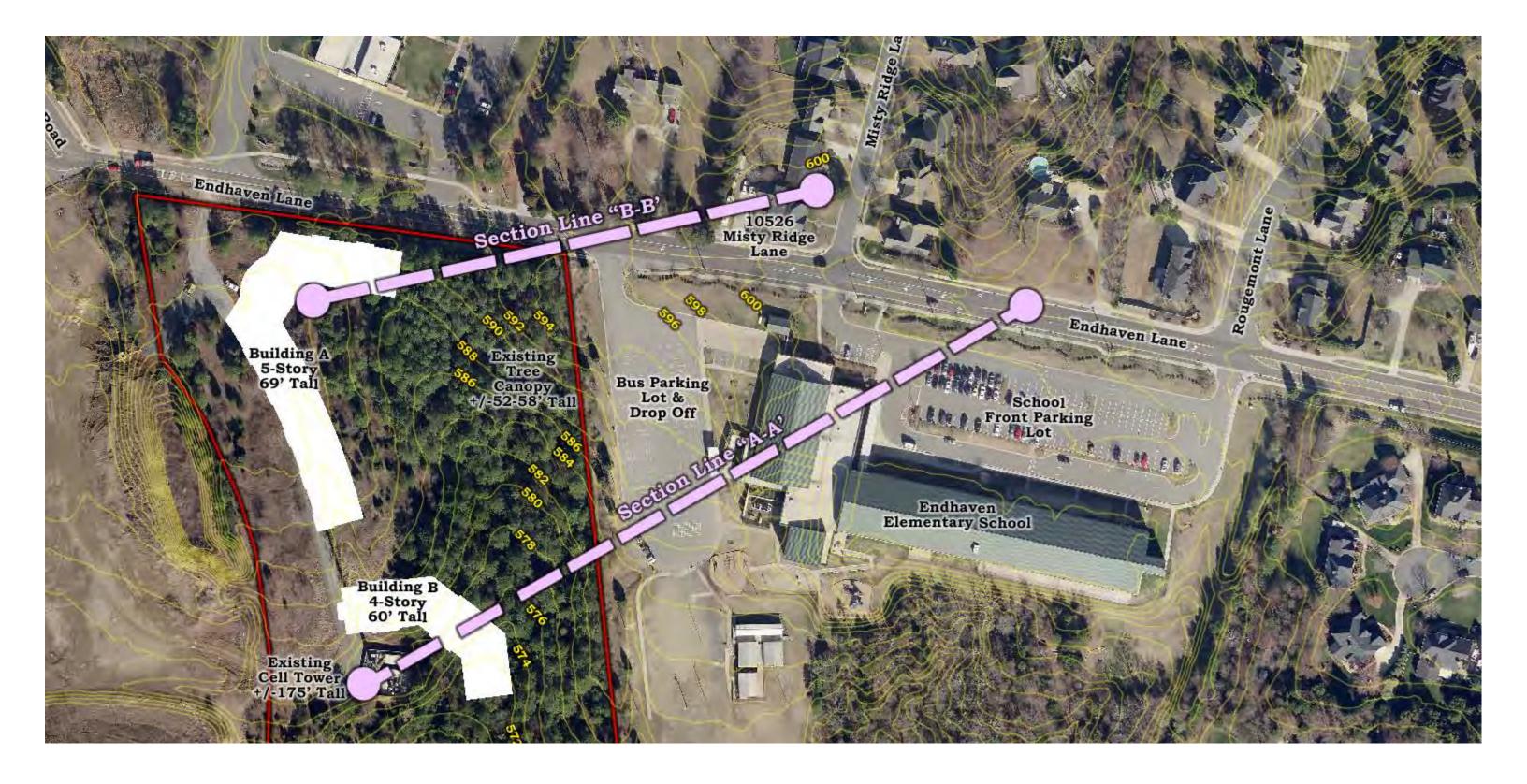


**Existing Tree Buffer to be saved** 









**Viewshed Analysis: Surrounding Area Aerial** 





