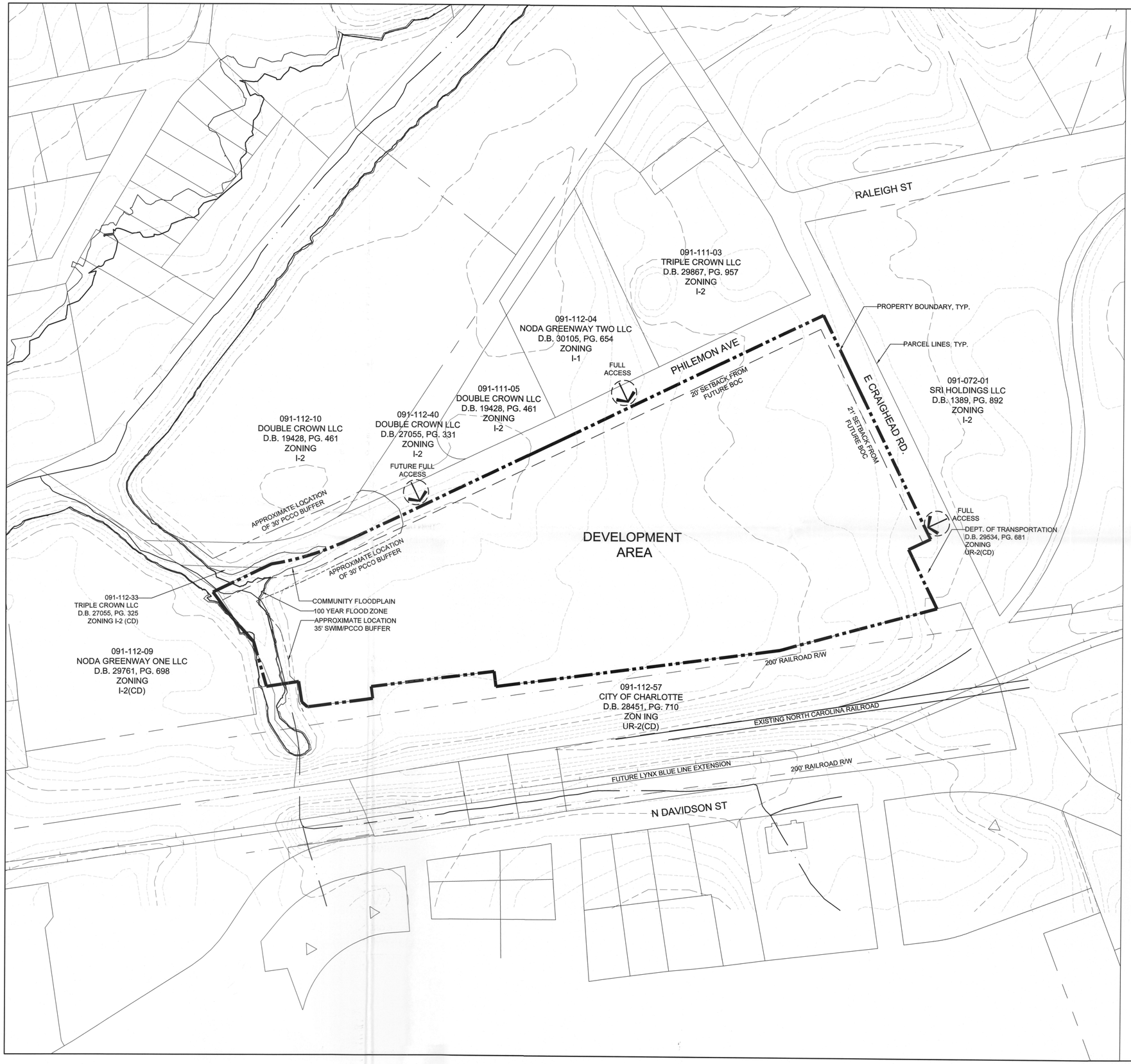
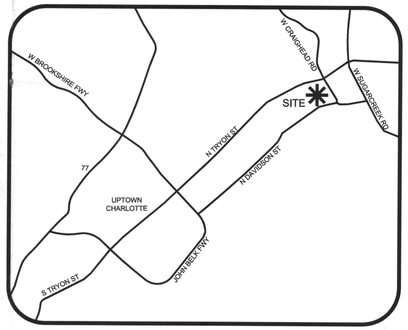




VICINITY MAP

NTS

RECEIVED
OCT 07 2016

SITE LEGEND

SITE ACCESS

SITE DEVELOPMENT DATA

ACREAGE: ± 9.91 ACRES
TAX PARCEL #S: 091-112-03, 091-112-04, 091-112-05, 091-112-07, 091-112-08
EXISTING ZONING: I-1, UR-2(CD)

PROPOSED ZONING: TOD-M (CD)

EXISTING USES: RESIDENTIAL, VACANT

PROPOSED USES: RESIDENTIAL AND NON-RESIDENTIAL DWELLINGS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

PROPOSED PLANNED DEVELOPMENT TOD-M(CD):

MINIMUM DENSITY:
AS PERMITTED AND ALLOWED BY THE TOD-M ZONING DISTRICT

MAXIMUM BUILDING HEIGHT:
A MAXIMUM BUILDING HEIGHT OF FOUR (4) STORIES AND UP TO 60' AS. BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.

MIN. FRONT SETBACK:
21' SETBACK ALONG E. CRAIGHEAD ROAD,
20' SETBACK ALONG PHILEMON AVE.

MIN. SIDE YARD WIDTH:
NONE REQUIRED

MIN. REAR YARD WIDTH:
NONE REQUIRED

PARKING:
AS PER ORDINANCE REQUIREMENTS

APPROVED BY
CITY COUNCIL
OCT 17 2016

TREE SAVE NOTE:

THIS PROJECT WILL SEEK TO USE THE EXEMPT/FLEXIBILITY AS OUTLINED IN THE TREE ORDINANCE RELATED TO TOD DEVELOPMENT IN THE 36TH STREET TRANSIT AREA

40 0' 40 80 160

LandDesign
223 N Graham Street, Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

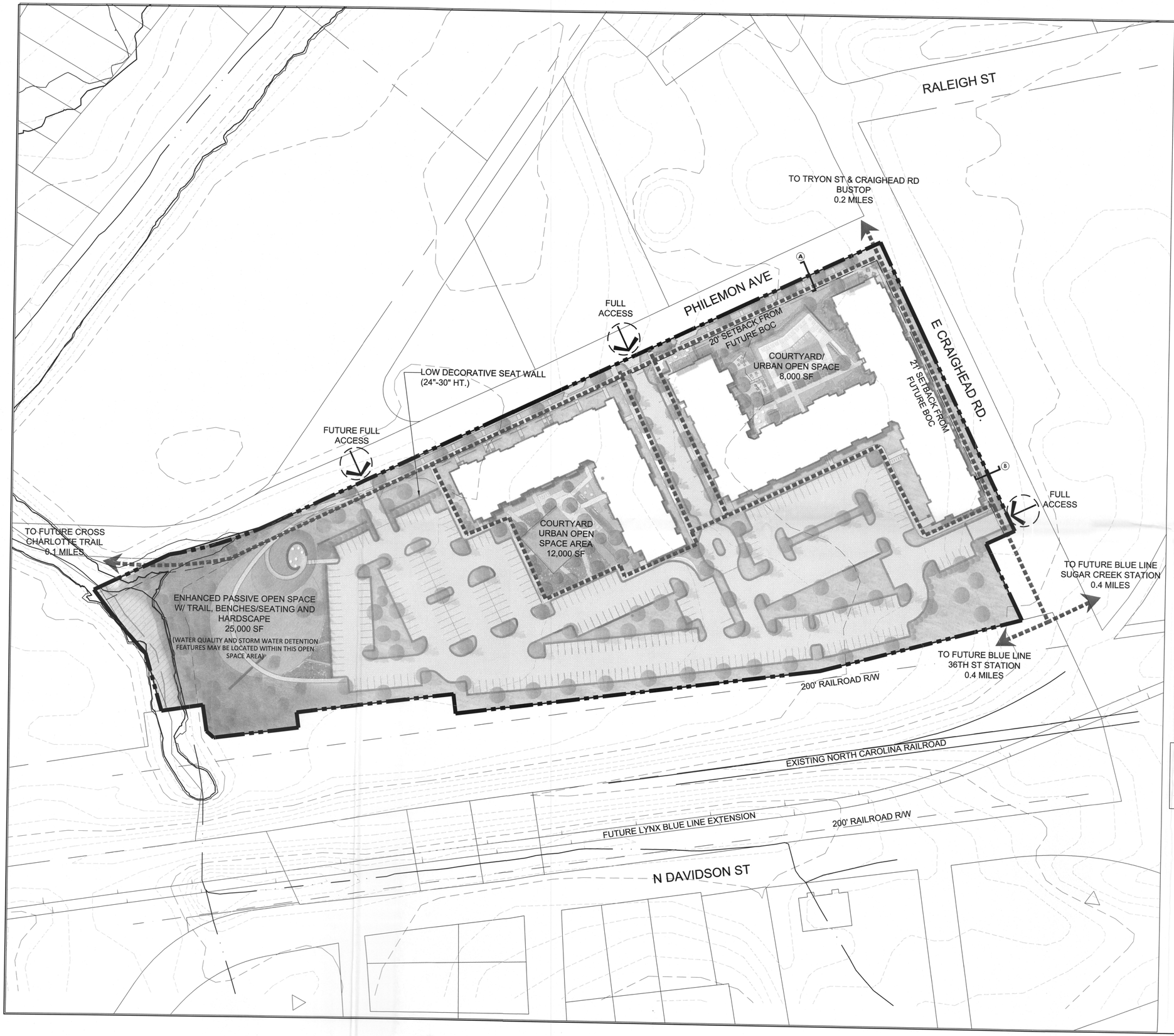
PHILEMON NODA PARTNERS, LLC

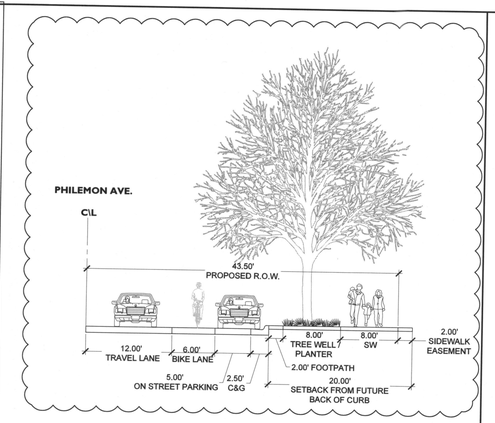
NODA SOUTH VILLAGE MULTI-FAMILY
REZONING PETITION No. 2016-111
CHARLOTTE
TECHNICAL DATA SHEET

REVISIONS:
08.19.16 CITY COMMENTS
09.16.16 CITY COMMENTS
10.07.16 CITY COMMENTS

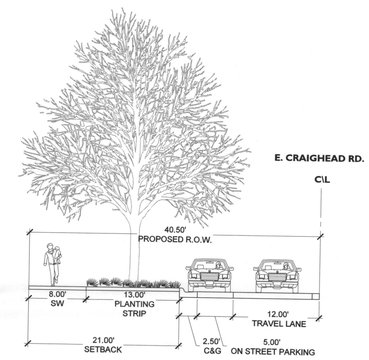
DATE: 06.22.16
DESIGNED BY: ST
DRAWN BY: NG
CHECKED BY: ST
SCALE: 1" = 50'
PROJECT #: 1016151

SHEET #:
RZ-1





SECTION - A



SECTION - B

SITE LEGEND

SITE ACCESS

PEDESTRIAN CIRCULATION

TREE SAVE NOTE:

THIS PROJECT WILL SEEK TO USE THE EXEMPT/FLEXIBILITY AS OUTLINED IN THE TREE ORDINANCE RELATED TO TOD DEVELOPMENT IN THE 36TH STREET TRANSIT AREA

APPROVED BY CITY COUNCIL

OCT 17 2016

30 0' 30 60 120

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PHILEMON NODA PARTNERS, LLC

NODA SOUTH VILLAGE MULTI-FAMILY

REZONING PETITION No. 2016-111

CHARLOTTE

SCHEMATIC SITE PLAN

REVISIONS:
08.19.16 CITY COMMENTS
09.16.16 CITY COMMENTS
10.07.16 CITY COMMENTS

DATE: 06.22.16
DESIGNED BY: ST
DRAWN BY: NS
CHECKED BY: ST
Q.C. BY: ST
SCALE: 1" =60'
PROJECT #: 1016151

SHEET #: RZ-2

Philemon NODA Partners, LLC
Development Standards
10/06/16
Rezoning Petition No. 2016-111

Site Development Data:

--**Acreage:** ± 9.91
--**Tax Parcel #s:** 091-112-03, 091-112-04, 091-112-05, 091-112-07 and 091-112-08
--**Existing Zoning:** I-1 and UR-2(CD)
--**Proposed Zoning:** TOD-M(CD)
--**Existing Uses:** Residential/Vacant
--**Proposed Uses:** The Site may be developed with residential and non-residential use together with accessory uses as allowed, in the TOD-M zoning district (as more specifically described and restricted below in Section 3).
--**Maximum Amount of Development:** As permitted and allowed by the TOD-M zoning district.
--**Maximum Building Height:** A maximum building height of four (4) stories and up to 60 feet. 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, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Philemon NoDa Partners, LLC ("Petitioner") to accommodate the development of transit supportive uses on an approximately 9.91 acre site located on the southwest quadrant of the intersection of Philemon Avenue and E. Craighead Road (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, the regulations established under the Ordinance for the TOD-M zoning classification shall govern all development taking place on the Site.

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**. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site may vary as allowed by TOD-M zoning district. Accessory buildings and structures located on the Site 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.

2. Optional Provisions.

a. N/A.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with residential and non-residential uses as permitted by right and under prescribed conditions in the TOD-M Zoning district together with accessory uses as allowed in the TOD-M zoning district.

4. Access and Right-of-way Dedication:

a. Vehicular access to the Site will be from Philemon Avenue and E. Craighead Road as generally depicted on the Rezoning Plan.

b. The Petitioner will be responsible for constructing improvements along the Site's frontage on Philemon Avenue when sufficient pavement exists on the opposite side of the centerline to accommodate an opposing lane of traffic. If insufficient pavement exists on the opposite side of Philemon the Petitioner will construct both sides of Philemon Avenue as reflected on the cross-section on Sheet RZ-2 of the Rezoning Plan. The Petitioner is not responsible for improving Philemon beyond the Site's frontage or when the alignment for Philemon as developed by Engineering and Property Management Department shifts the roadway away from the Sites frontage, or when insufficient right-of-way exists on the opposite side of the road to build the proposed cross-section.

c. The Petitioner will utilize the center line alignment for Philemon Avenue developed by Engineering and Property Management Department along the Site's frontage as generally depicted on the Rezoning Plan. Once the alignment for the road shifts away from the Site the Petitioner will not be responsible for its construction.

d. The southernmost access point to the Site from Philemon Avenue may not be open or utilized until Philemon Avenue is improved beyond the proposed driveway.

e. The location of the driveway may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

3 f. Along Philemon Avenue the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation of any necessary utility easements) that portion of the Site located along Philemon Avenue as may be necessary to provide for a right-of-way extending 43.5 feet from the proposed or existing centerline as generally depicted on the Rezoning Plan; said dedication and conveyance to occur prior to issuance of the first certificate of occupancy for the first residential dwelling building constructed on the Site. The Petitioner will dedicate the additional right-of-way along Philemon Avenue to the City if requested to do so by the City to allow the City to construct Philemon Avenue. A sidewalk and utility easement will be provided when the sidewalk is located outside of the proposed right-of-way. 3

g. The Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation of any necessary utility easements) that portion of the Site located along Craighead Road as may be necessary to provide for a right-of-way extending 40.5 feet from the existing centerline as generally depicted on the Rezoning plan; said dedication and conveyance to occur prior to issuance of the first certificate of occupancy for the first residential building constructed on the Site.

h. The required transportation improvements will be approved and constructed prior to the issuance of the Site's first certificate of occupancy. 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, 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.

5. Streetscape, Landscaping Open Space and Screening:

a. Along Philemon Avenue a minimum of a 20 foot setback as measured from the future back of curb will be provided. Along E. Craighead Road a minimum of a 21 foot setback as measured from the future back of curb with an 8 foot sidewalk and 13 foot planting strip will be provided.

3

b. As part of the development of the Site, the Petitioner will provide the following streetscape improvements along Philemon Avenue an eight (8) foot by 20 to 25 foot planter, separated from the future back of curb by a two (2) foot "footpath" and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan and on the cross-section for the street. Along Craighead Road the Petitioner will provide a thirteen (13) foot planting strip and an eight (8) foot sidewalk. The City may in the future install trees in tree grates along Philemon Avenue.

c. The open space, and court yard areas illustrated on the Site will be improved with landscaping, lighting, seating and hardscape elements. A minimum of 27,000 square feet of open space will be provided on the Site in the areas generally indicated on the site plan. Water quality and storm water detention facilities may be located within the passive open space area located along the southern property boundary.

d. The parking area located along Philemon Avenue will be screened with a low (2.0 to 2.5 foot) masonry wall to help create a more defined building edge along Philemon Avenue. The wall will be located a minimum of one foot behind the sidewalk.

e. Parking areas located adjacent to the proposed open space area will be well screened when located adjacent to the proposed open space areas.

f. Meter banks will be screened where visible from public view at grade level.

6. Architectural Standards.

a. The building materials used on the principal buildings constructed on Site will be a combination of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementatious siding (such as hardi-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.

b. The Petitioner will contribute funds to the Arts and Science Fund established to implement public Art. A minimum of $20,000 dollars will be contributed to this fund by the Petitioner prior to the issuance of a certificate of occupancy for the proposed building. Unless approved by the Petitioner the art work secured or commissioned by these funds must be located on the Site or off-site in the NoDa neighborhood if approved by the Petitioner. The Petitioner will have the right to review and approve the art work purchased or commissioned by these funds.

c. The portions of residential buildings facing Philemon Avenue and E. Craighead Road will have building entrances oriented toward these public streets at least every 100' linear Road. Ground floor residential units located along Philemon Avenue and Craighead will have direct access to the street they adjoin. These entrances will be design to have the appearance of being

a primary entrance into the unit (the "front door").

d. The ground floor shall be taller than and architecturally different than upper floors with more transparency than upper floors, this standard will only apply to building walls located along public streets.

e. In addition to the Blank Wall provisions of the TOD-M zoning district Blank Walls shall be treated with both horizontal and vertical variations in wall planes.

f. Ground floor residential units shall be raised an average of 24" above grade. Units shall be no more than 5' above grade and 2' below. If ground floor residential units facing the abutting public streets are designed with balconies the balconies will be designed to have access to the adjoining public street.

7. Environmental Features:

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

b. The Site will comply with the Tree Ordinance.

8. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 21 feet in height.

9. 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.

10. 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.

APPROVED BY
CITY COUNCIL
OCT 17 2016

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PHILEMON NODA
PARTNERS, LLC

NODA SOUTH VILLAGE MULTI-FAMILY
REZONING PETITION No. 2016-111
CHARLOTTE
DEVELOPMENT STANDARDS

REVISIONS:
08.19.16 CITY COMMENTS
09.16.16 CITY COMMENTS
3 10.07.16 CITY COMMENTS

DATE: 06.22.16
DESIGNED BY: ST
DRAWN BY: NG
CHECKED BY: ST
Q.C. BY: ST
SCALE:
PROJECT #: 10161S1

SHEET #:
RZ-3