ROAD LEGEND

PRIVATE STREET

=----- PUBLIC STREET

ACCESS POINT RIGHT IN/RIGHT OUT ACCESS

FULL MOVEMENT ACCESS SIGNALIZED INTERSECTION

SITE DEVELOPMENT NOTES:

-ACREAGE: +/- 77.31 ACRES -TAX PARCEL #'S: 105-361-01, 105-361-05, 105-361-06 -EXISTING ZONING: R-8MF (CD), R-12MF (CD), O-2 (CD)

-PROPOSED ZONING: CC -EXISTING USES: VACANT

-PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE CC ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 2 ON SHEET RZ-2).

-MAXIMUM GROSS SQUARE FT OF DEVELOPMENT: UP TO 191,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED IN THE CC ZONING DISTRICT, INCLUDING A MOTION PICTURE THEATER, PLUS A HOTEL WITH UP TO 120 ROOMS, AND UP TO 515 RESIDENTIAL DWELLING UNITS, TOGETHER WITH ACCESSORY USES AS ALLOWED BY THE CC ZONING DISTRICT.

-MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE. -PARKING: AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED. PARKING FOR THE USES

LOCATED WITHIN MECKLENBURG COUNTY MAY BE LOCATED ON THE PORTION OF THE SITE LOCATED WITHIN HARRISBURG AND VICE A VERSA.

PARCEL 'A'
COUNTY: MECKLENBURG
EXISTING ZONING: R-8MF
PROPOSED ZONING: CC
PROPOSED USES:
-RESIDENTIAL

PARCEL 'B'
COUNTY: MECKLENBURG EXISTING ZONING: R-8MF PROPOSED ZONING: CC

-residential (townhomes)

PARCEL 'C' COUNTY: MECKLENBURG EXISTING ZONING: R-8MF PROPOSED ZONING: CC PROPOSED USES: -residential

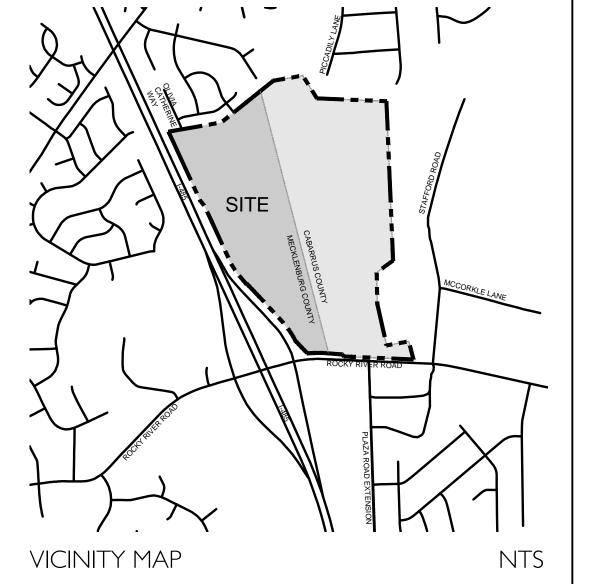
PARCEL 'D' COUNTY: MECKLENBURG EXISTING ZONING: R-8MF / R-12MF PROPOSED ZONING: CC PROPOSED USES: -residential

PARCEL 'E' COUNTY: MECKLENBURG EXISTING ZONING: R-8MF / R-12MF / O-2 PROPOSED ZONING: CC PROPOSED USES:

PARCEL 'F' COUNTY: MECKLENBURG EXISTING ZONING: R-8MF / R-12MF PROPOSED ZONING: CC PROPOSED USES: -MIXED USE

PARCEL 'G' COUNTY: MECKLENBURG EXISTING ZONING: R-12MF PROPOSED ZONING: CC PROPOSED USES: -NON-RESIDENTIAL

-MIXED-USE



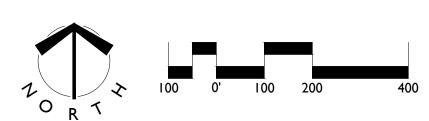
LandDe

NOTE: STREET CROSS-SECTIONS FOUND ON SHEET RZ-4.

NOTE: SEE CROSS-SECTIONS FOR SETBACK INFORMATION.

ROLINA

PETITION #: 2017-000 CITY OF CHARLOTTE PETITIONER: ROCKY RIVER ROAD ASSOCIATES, LLC



NOT

Site Development Data:

--Acreage: ± 77.31 --Tax Parcel #: 105-361-01, 05 and 06

--Existing Zoning: R-8MF(CD), R-12MF(CD) and O-2(CD) --Proposed Zoning: CC

--Existing Uses: Vacant

--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district (as more specifically described

--Maximum Gross Square feet of Development: Up to 191,000 square feet of gross floor area of non-residential uses as allowed in the CC zoning district, including a motion picture theater, plus a hotel with up to 120 rooms, and up to 515 residential dwelling units, together with accessory uses as allowed by the CC zoning district. -- Maximum Building Height: As allowed by the Ordinance.

1. <u>General Provisions</u>:

Harrisburg and vice a versa.

a. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Rocky River Road Associates, LLC to accommodate development of a residential, retail, EDEE (restaurant), office, and other allowed non-residential uses, as a mixed-use community on an 77.31 acre site located on Rocky River Road and proposed Farmington Ridge Parkway (formerly Plaza Rd. Extension) (the "Site").

--Parking: As required by the Ordinance will be provided. Parking for the uses located within Mecklenburg County may be located on the portion of the Site located within

b. 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 CC classification for the Site so designated on the Rezoning Plan, shall govern all development taking place on the Site.

c. Graphics and Alterations. The schematic depictions of sidewalks, 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:

 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. Exclusions for Calculation of Maximum Development Levels. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

2. Permitted Uses & Development Area Limitation :

a. Subject to the restrictions and limitations listed below, the Principal buildings constructed on the Site may be developed with up to 191,000 square feet of gross floor area of non-residential uses permitted by right and under prescribed conditions, including a motion picture theater, retail, EDEE (restaurants), office uses, plus a hotel with 120 rooms, and up to 515 residential units together with accessory uses in the Commercial Center (CC) zoning district, as applicable.

b. For ease of reference, the Rezoning Plan sets forth seven (7) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B, C, D, E, F and G (each a "Development Area" and collectively the "Development Areas").

c. Within Development Areas A and B up to 240 townhome for sale (one-family attached dwelling units) will be allowed, as allowed in the CC zoning district together with accessory uses as allowed by the CC Zoning District.

d. Within Development Areas C, D, E, F and G up to 275 residential dwelling units, 191,000 square feet of gross floor area of non-residential uses, including a motion picture theater, plus a hotel with up to 120 rooms will be allowed, as allowed in the CC zoning district together with accessory uses as allowed in the CC zoning district.

e. A convenience store with or without fuel sales, and EDEE (restaurants) with accessory drive-through windows will not be allowed on the Site.

3. Access:

a. Access to the Site will be from Farmington Ridge Parkway (the extension of Plaza Road in Harrisburg). Olivia Catherine Way will be extended into the Site as required and at the time it is required to be extended by the Subdivision regulations. A new network of public and private streets will be constructed on Site as generally depicted on the Rezoning Plan. A cross-sections for each of the proposed streets has been included with the Petition. The proposed cross-sections indicate setbacks as will streetscape elements. Per the previously approved conditional plan for the Site, and due to environmental issues associated with the extension of Brandon Trail Drive the extension of Brandon Trail Drive will not be required into the Site.

b. The number and location of access points to the internal public and private streets will be determined during the land development approval process.

c. The alignment of the internal public and private Streets, 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards.

4. <u>Transportation Improvements</u>

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 figure -- located on Sheet --- of the Rezoning Plan. Figure -- on Sheet --- is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure -- on Sheet -- for the proposed improvement).

The following roadway improvements will be made by the Petitioner as part of the development of the Site as proposed by the Rezoning Plan. The Petitioner will be allowed to obtain a certificate of occupancy for any one or all of the buildings located on the Site upon the substantial completion of the following improvements:

Proposed Improvements:

To be completed after the review of the TIS.

II. Standards, Phasing and Other Provisions.

Reserved.

a. <u>CDOT/NCDOT Standards.</u> All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective 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 broader northeast Mecklenburg area, by way of a private/public partnership effort or other public sector project support.]

b. <u>Substantial Completion</u>. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.I.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.

5. <u>Architectural Standards:</u>

a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used will be a combination of the following: brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, EIFS or wood. Vinyl as a building material may only be used on windows, soffits and on handrails/railings. The residential buildings constructed on the Site will be constructed so the percentage of stone, precast stone, precast concrete, synthetic stone per building façade may vary but in no case be less than 20%. If brick is used in lieu of stone the percentage of brick will be no less than 30%.

b. Non-residential and mixed-use buildings Architectural and Design Controls

i. Buildings fronting on the existing and proposed public streets (other than I-485) will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, materials and/or building color. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is not feasible architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding; string courses; belt courses; changes in material or color; architectural lighting; works of art; display areas, porches, or stoops

ii. Facades fronting on public streets (other than I-485) shall include a minimum of 30% transparent glass between two feet (2') and eight feet (8) on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house, kitchens, or other building elements; shadow boxes or window graphics may not be utilized for more than 10% of the required transparency requirement.

iii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) feet sidewalk between buildings and through parking areas (pedestrian walkways in parking areas will be striped), and connecting each building to the sidewalk network that will be provided throughout the Site.

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

c. The Petitioner will coordinate the general appearance of the Site's residential and non-residential buildings architecture, landscaping, signage and streetscape elements by utilizing generally similar building materials, colors, architectural details, streetscapes, landscape materials and landscape designs.

d. The service areas of the non-residential buildings constructed within Development Area E, F, and G will be screened from the adjoining streets with walls designed to match and compliment 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.

- e. Retaining walls located on the Site will be treated with landscaping to help soften their appearance.
- Roof top HVAC and related mechanical equipment will be screened from public view at grade.

6. <u>Streetscape, Landscaping and Buffers:</u>

a. A 35 foot building and parking setback will be provided along I-485 as generally depicted on the Rezoning Plan. The setback area along I-485 will be landscaped with trees, shrubs and other landscape materials, the arrangement and placement of the proposed landscaping will be determined by the Petitioner during the land development

b. A setback as required by the CC Zoning District will be established along the proposed public streets, provided, however, the Petitioner reserves the right to the reduce the CC district setback from 35 feet to 16 feet as allowed by the Ordinance. The attached cross-sections include information on when a reduced setback as allowed by the Ordinance is contemplated. The setback along the proposed private streets will be a minimum of 16 feet as measured from the proposed back of curb.

c. The Petitioner will provide eight (8) foot planting strips and eight (8) foot sidewalks along the Site's internal public and private streets as generally depicted on the attached cross-sections. Planting strips and sidewalks along the Site's other public and private streets will be installed to the extent required by the Design Standards for Streets outlined in the Subdivision regulations.

e. The Petitioner will provide a sidewalk and a cross-walk network that links all the 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 will be six (6) feet.

Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance
- b. The Site will comply with the Tree Ordinance.
- <u>Signage:</u>
- Reserved.
- <u>Lighting:</u>
- 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 31 feet in height.

10. Miscellaneous:

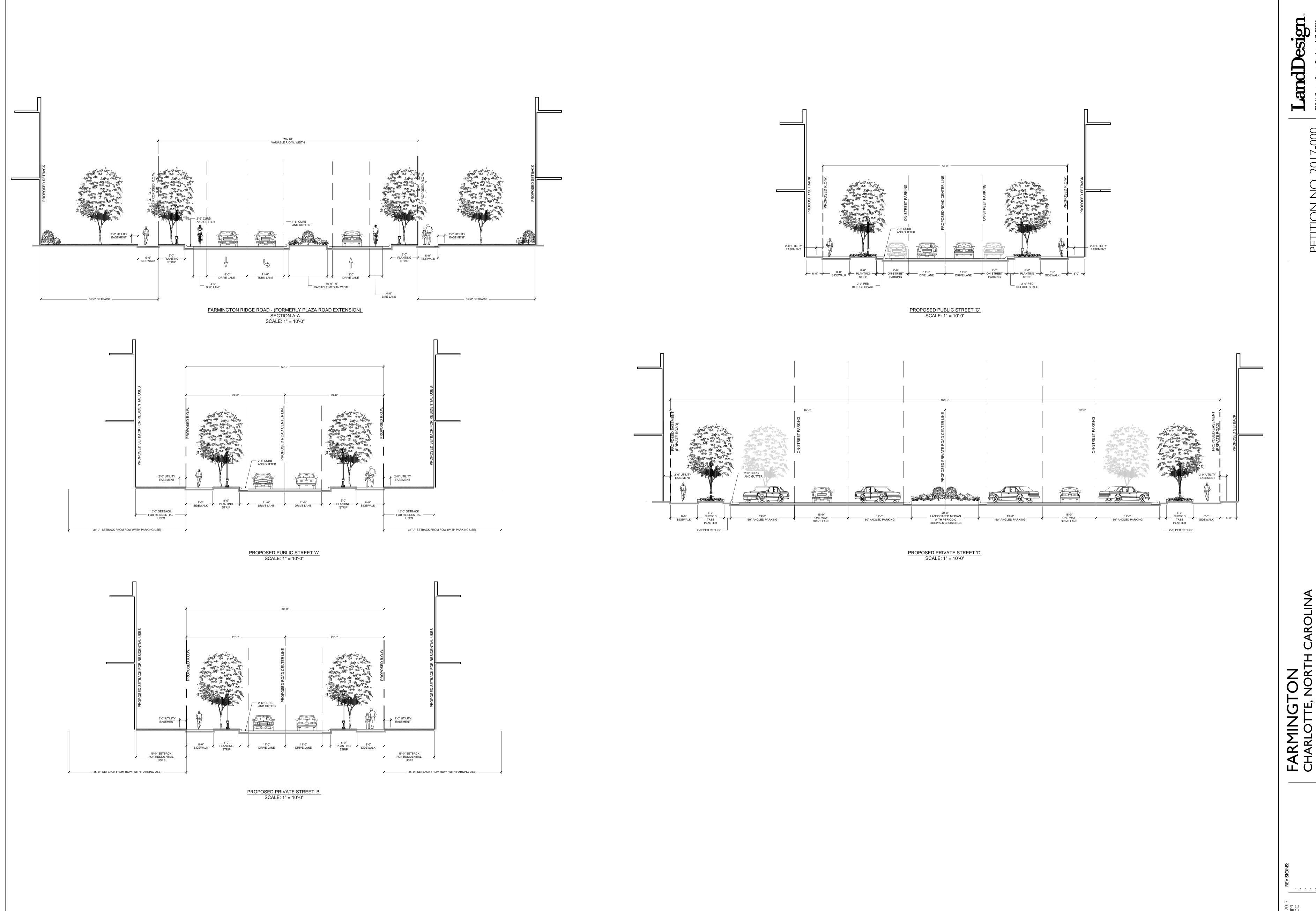
a. As per the previously approved conditional plan, and due to the presence of significant environmental features; water quality and post construction buffers, topography and other environmental factors, in addition to the fact that the extension of Brandon Trail Drive would be the third crossing of Fuda Creek within 1,400 feet, the Petitioner will request a modification to the to the Subdivision regulations to not required the extension of Brandon Trail Drive into the Site as allowed by the Alternative Compliance provisions of the Subdivision Regulations.

11. <u>Amendments to the Rezoning Plan</u>:

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.

12. <u>Binding Effect of the Rezoning Application</u>:

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.



PETITION #: 2017-000 CITY OF CHARLOTTE PETITIONER: ROCKY RIVER ROAD ASSOCIATES, LLC

