

Site Development Data:

- Acreage = 8.30 acres
- Tax Parcel #: Portion of 111-201-04
- Existing Zoning: MX-1(INNDV)
- Proposed Zoning: NS
- Zoning Use: Vacant
- Proposed Use: Indoor and Outdoor Recreational Uses together with accessory uses, as allowed in the NS zoning district (as more specifically described and restricted below in Section 2)
- Prohibited Uses: The following uses, retail, EDEE, office, automotive service stations with or without a convenience store, and residential uses will not be permitted on the Site.
- Maximum Gross Square feet of Development: Up to 23,000 square feet of gross floor area.
- Maximum Building Height: As allowed by the Ordinance.
- Parking: Parking will be provided as required by the Ordinance.

1. General Provisions:

- a. **Site Location** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Kolter Homes, LLC ("Petitioner") to accommodate the development of an Indoor and Outdoor Recreational amenity area for the residents of Cresswind with up to 23,000 square feet of gross floor area on approximately 8.30 acre site located along Cresswind Boulevard (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 NS zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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.** The total number of principal buildings to be developed on the Site shall not exceed one (1). 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 located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with indoor and outdoor recreational uses with up to 23,000 square feet of gross floor area as allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district. *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 (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed) and outdoor seating or service areas.*
- b. The following uses will not be allowed on the Site: retail, EDEE, office, automotive service stations with or without a convenience store, and residential uses.

3. Access and Transportation:

- a. Vehicular access to the Site will be from Cresswind Boulevard in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
- 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. Any required transportation improvements will be approved and constructed before the Site's first certificate of occupancy is issued.

4. Streetscape, Buffers, Setbacks and Landscaping:

- a. The setback along Cresswind Boulevard will be 20 feet as measured from the proposed right-of-way line of Cresswind Boulevard, as generally depicted on the Rezoning Plan.
- b. Along the Site's frontage on Cresswind Boulevard the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan.
- c. The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along the abutting public street in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- e. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

5. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance (storm water control ordinance).
- b. If the Petitioner utilizes the existing BMP adjacent to the Site for storm water management requirements of the proposed development, the Petitioner shall include documentation in the formal plan submittal for permitting confirming the proper easements have been established per City standards and that the BMP was properly designed and constructed to manage storm water runoff from all parcels served by it.
- c. The Site will comply with the Tree Ordinance. The Site is part of approved master plan community, therefore, tree save requirements for the Site may be met on-site or as part of the approved tree save area of the master planned community.

6. Signage:

- a. Reserved.

7. Lighting:

- a. All new detached and attached 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 26 feet in height.

8. Open Space:

- a. This proposed outdoor/indoor recreational use and amenity area may be used to meet the active open space commitments/requirements for Cresswind contained within Rezoning Petition No. 2015-101.

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 portion of the Site affected by such amendment in accordance with the provisions 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 under the Ordinance, be binding upon and mure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



9-11-17

**CRESSWIND - AMENITY SITE
SINGLE FAMILY RESIDENTIAL DEVELOPMENT**
KH MINT HILL LLLP; MECKLENBURG COUNTY, NC
DEVELOPMENT CONDITIONS

REVISIONS:
08/11/17 - REVISED PER STAFF COMMENTS
10/20/17 - REVISED PER STAFF COMMENTS