

VICINITY MAP SCALE = 1" = 2,000'

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LEVINE PROPERTIES REZONING:

MIXED-USE RESIDENTIAL/RETAIL/

HORIZON PROPERTIES REZONING:

NORTHWOOD RAVIN REZONING:

1. THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT OVERALL CIRCULATION AND

OFFICE/RECREATIONAL USE

RESIDENTIAL

RESIDENTIAL

DEVELOPMENT PATTERNS ONLY.

LEVINE PROPERTIES

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

REZONING PETITION NO. RZP-2023-038

NOT FOR

LEVINE PROVIDENCE AND **SARDIS LANE REZONING**

CONSTRUCTION

LEVINE PROPERTIES 5821 BRITTANY CT 1

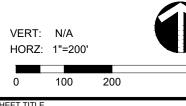
CHARLOTTE NC 28270

REVISION / ISSUANCE

SUBMITTAL SUBMITTAL **REZONING 9TH** SUBMITTAL

DESIGNED BY: LDI DRAWN BY: LDI

CHECKED BY: LDI



VISION STATEMENT 2. FOR ADJACENT PARCEL INFO SEE TABLE ON SHEET RZ1-00

ORIGINAL SHEET SIZE: 30" X 42"

RZ0-00

VISION FOR PROVIDENCE SQUARE REVITALIZATION/REDEVELOPMENT

- -THIS REZONING AND THE REZONINGS LISTED FOR OTHER PARCELS GENERALLY DEPICTED HEREIN PROVIDES AN EXCITING REVITALIZATION/REDEVELOPMENT OPPORTUNITY FOR PORTIONS AN EXISTING OVER 55-YEAROLD MULTI-FAMILY RESIDENTIAL AND COMMERCIAL NODE IN THE PROVIDENCE RD, SARDIS LANE AND OLD PROVIDENCE RD AREA.
- -THE THREE SEPARATE REZONING PETITIONS WILL COLLECTIVELY REVITALIZE AN AREA BY REPLACING AN OVER 55-YEAROLD OUT OF DATE OBSOLETE RESIDENTIAL UNITS WITH A VARIETY OF HOUSING TYPES AND A MIXED-USE NEIGHBORHOOD CENTER.
- -THIS REVITALIZATION WILL CREATE NEW WORKFORCE HOUSING UNITS AND UPGRADE/EXTEND THE USEFUL LIFE OF OTHERS.

- -IT WILL BRING SMALLER FORMAT RETAIL AND THE POSSIBILITY OF AN EXCITING NEW GROCERY STORE OPPORTUNITY AS WELL AS CREATE AN IMPROVED STREET NETWORK, PEDESTRIAN WALKABILITY AND GREENWAY CONNECTIVITY.
- THIS REZONING PETITION RELATES TO THE APPROXIMATELY 84.16 ACRES SHOWN AS DEVELOPMENT AREAS A, B, C, D, AND E ON THE ATTACHED REZONING SHEETS TO ALLOW FOR REDEVELOPMENT AS A MIXED-USE COMMUNITY OF RESIDENTIAL, RECREATIONAL AND COMMERCIAL USES IN A WELL-DESIGNED PEDESTRIAN FRIENDLY/WALKABLE MANNER.



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LEVINE PROPERTIES

REZONING PETITION NO. RZP-2023-038

NOT FOR

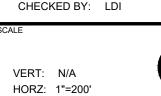
LEVINE PROVIDENCE AND SARDIS LANE REZONING

CONSTRUCTION

LEVINE PROPERTIES
5821 BRITTANY CT 11
CHARLOTTE NC 28270

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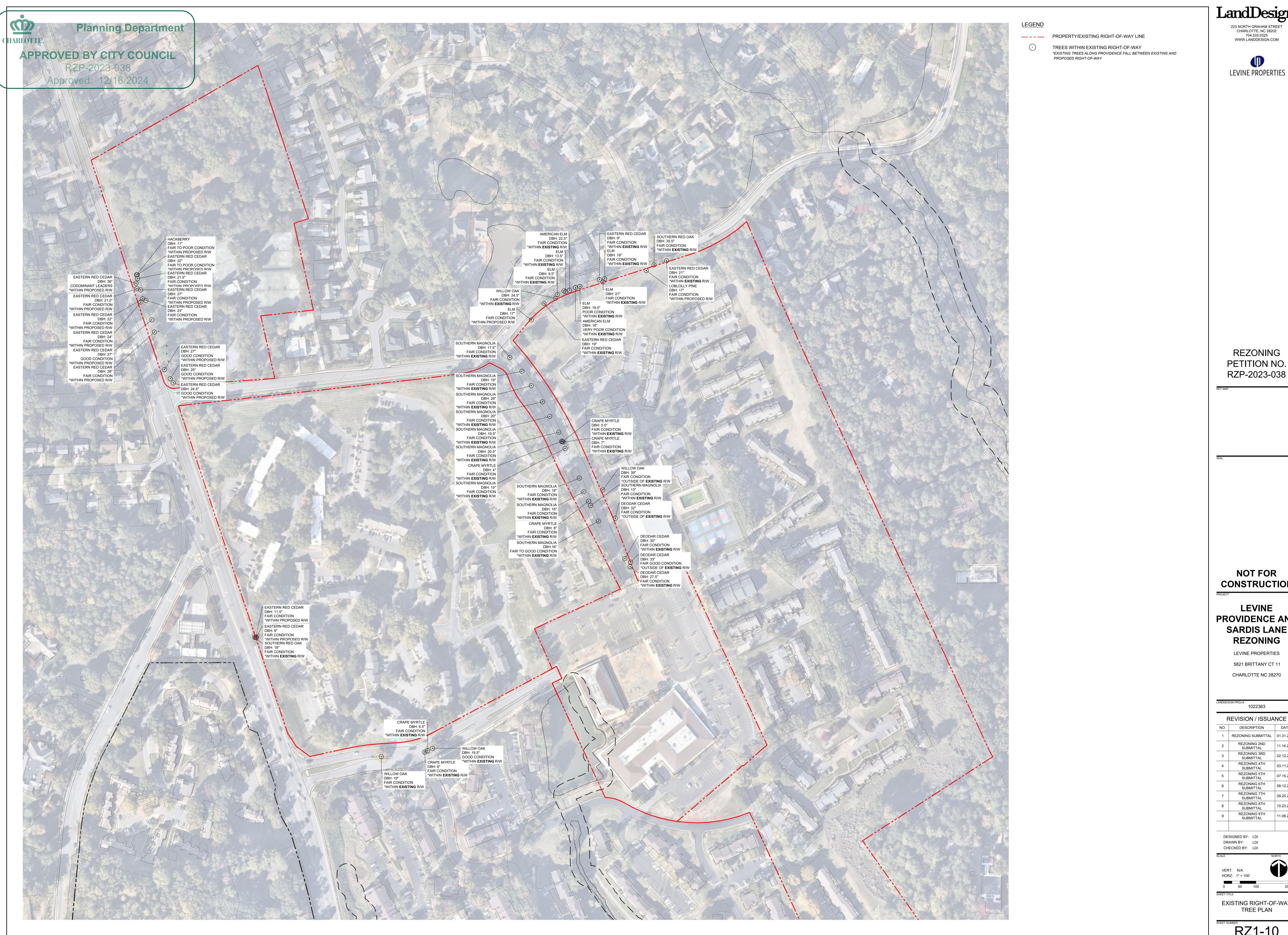
DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI



MASTER EXISTING

CONDITIONS PLAN

RZ1-00



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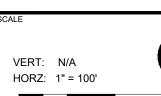
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LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

LEVINE PROPERTIES 5821 BRITTANY CT 11 CHARLOTTE NC 28270

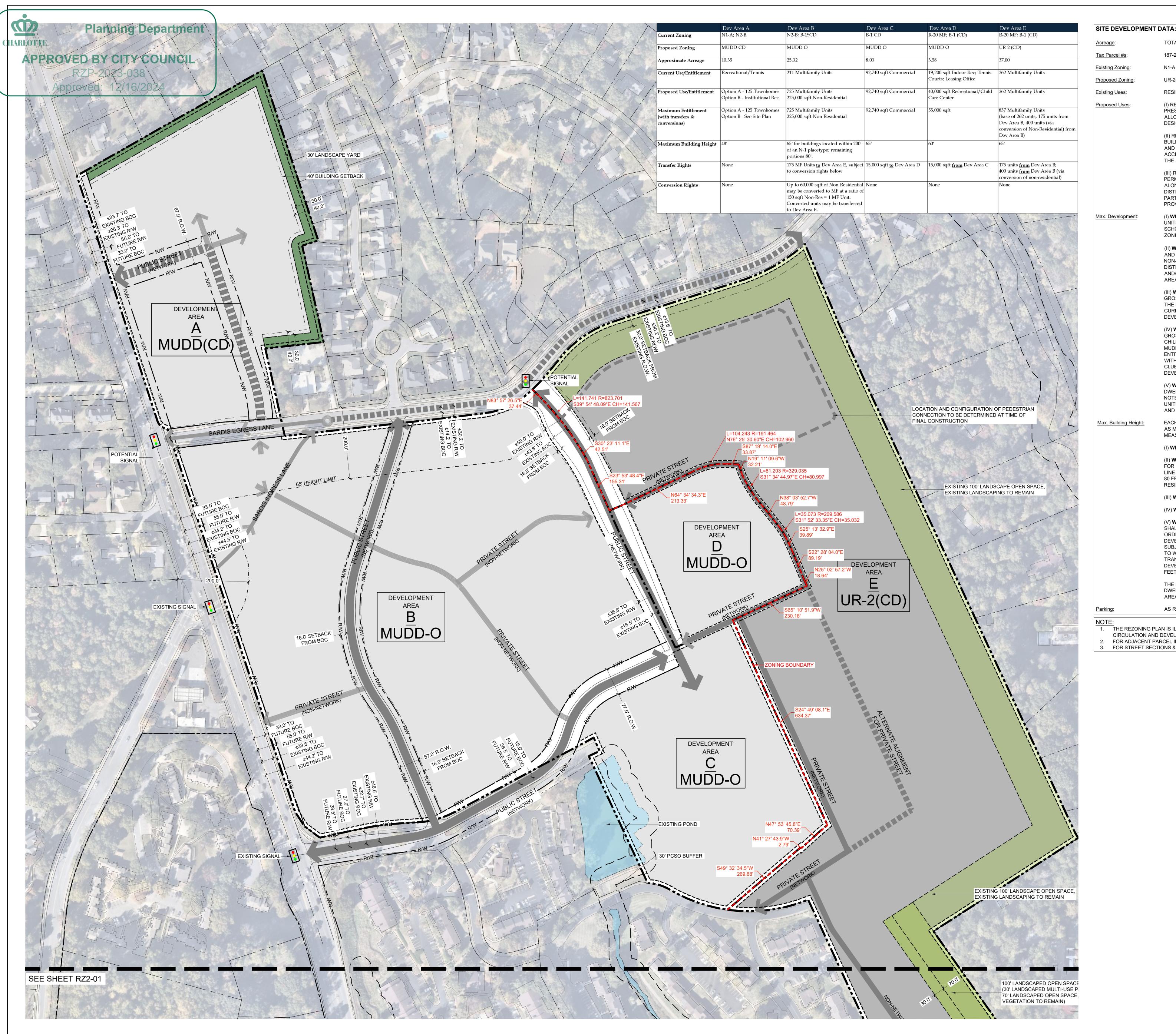
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DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI



EXISTING RIGHT-OF-WAY TREE PLAN

ORIGINAL SHEET SIZE: 30" X 42"



TOTAL: ±84.16 ACRES

187-221-33, 34, & 18; 187-342-01; 187-351-06; 187-331-01

N1-A & N2-B; B-1SCD; B-1(CD) AND R-20MF

UR-2(CD), MUDD (CD), AND MUDD-O

AREA B)

RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, AND RECREATIONAL (I) RESIDENTIAL USES, AS PERMITTED BY RIGHT AND UNDER Proposed Uses:

PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE UR-2 ZONING DISTRICT FOR THE AREAS DESIGNATED AS UR-2(CD);

(II) RESIDENTIAL, RECREATIONAL, INSTITUTIONAL, GOVERNMENT BUILDING, AND NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT FOR THE AREAS DESIGNATED AS MUDD-O; AND

(III) RESIDENTIAL USES AND OUTDOOR RECREATIONAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS ALONG WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT FOR THE AREA DESIGNATED MUDD(CD), AND ALL AS MORE PARTICULARLY DESCRIBED IN SECTION 3 AND IN THE OPTIONAL PROVISIONS (WHICH SHALL CONTROL).

Max. Development:

(I) WITHIN DEVELOPMENT AREA A UP TO 125 ATTACHED DWELLING UNITS OR OUTDOOR RECREATIONAL USES ASSOCIATED WITH A SCHOOL, INSTITUTIONAL OR CIVIC USES AS ALLOWED IN THE MUDD ZONING DISTRICT;

(II) WITHIN DEVELOPMENT AREA B UP TO 725 RESIDENTIAL UNITS, AND UP TO 225,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED IN THE MUDD ZONING DISTRICT (IT IS NOTED THAT THERE CURRENTLY IS ENTITLED AND/OR DEVELOPED 211 RESIDENTIAL UNITS WITHIN DEVELOPMENT

(III) WITHIN DEVELOPMENT AREA C UP TO 92,740 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED IN THE MUDD ZONING DISTRICT (IT IS NOTED THAT THERE IS CURRENTLY ENTITLED AND/OR DEVELOPED 92,740 SF WITHIN DEVELOPMENT AREA C);

(IV) WITHIN DEVELOPMENT AREA D UP TO 40,000 SQUARE FEET OF GROSS FLOOR AREA OF INDOOR RECREATION USES, A LARGER CHILDCARE CENTER, AND INSTITUTIONAL USES AS ALLOWED IN THE MUDD ZONING DISTRICT (IT IS NOTED THAT THERE IS CURRENTLY ENTITLED AND/OR DEVELOPED 19,200 SQUARE FEET OF USES WITHIN DEVELOPMENT AREA D TOGETHER WITH ACCESSORY CLUBHOUSE USES SERVING THE MULTI-FAMILY USES ON DEVELOPMENT AREA E);

(V) **WITHIN DEVELOPMENT AREA E** UP TO 262 RESIDENTIAL DWELLING UNITS AS ALLOWED IN THE UR-2 ZONING DISTRICT (IT IS NOTED THERE IS CURRENTLY ENTITLED AND/OR DEVELOPED 262 UNITS WITHIN DEVELOPMENT AREA E). SUBJECT TO THE TRANSFER AND CONVERSION PROVISIONS DESCRIBED IN SECTION 3 BELOW.

EACH DEVELOPMENT AREA WILL BE LIMITED AS FOLLOWS (EXCEPT AS MAY BE EXPRESSLY PROVIDED IN SECTION 2, HEIGHT SHALL BE MEASURED/CALCULATED AS DEFINED BY THE ORDINANCE):

(I) WITHIN DEVELOPMENT AREA A A MAXIMUM HEIGHT OF 48 FEET; (II) **WITHIN DEVELOPMENT AREA B** A MAXIMUM HEIGHT OF 65 FEET

FOR PORTIONS OF A STRUCTURE WITHIN 200 FEET FROM THE LOT

LINE OF RESIDENTIAL USES IN A NEIGHBORHOOD 1 PLACE TYPE AND 80 FEET FOR ALL REMAINING PORTIONS BEYOND 200 FEET OF RESIDENTIAL USES IN A NEIGHBORHOOD 1 PLACE TYPE; (III) WITHIN DEVELOPMENT AREA C A MAXIMUM HEIGHT OF 65 FEET;

(IV) WITHIN DEVELOPMENT AREA D A MAXIMUM HEIGHT OF 60 FEET;

(V) **WITHIN DEVELOPMENT AREA E** THE MAXIMUM BUILDING HEIGHT SHALL BE 65 FEET. HEIGHT TO BE MEASURED AS DEFINED BY THE ORDINANCE. ANY RESIDENTIAL UNITS TRANSFERRED FROM ONE DEVELOPMENT AREA TO ANOTHER DEVELOPMENT AREA WILL BE SUBJECT TO THE HEIGHT LIMITATIONS OF THE DEVELOPMENT AREA TO WHICH THE UNITS ARE TRANSFERRED. (BY WAY OF EXAMPLE, A TRANSFER OF UNITS FROM DEVELOPMENT AREA B TO DEVELOPMENT AREA E SHALL RESULT IN A HEIGHT LIMIT OF 65

THE MAXIMUM HEIGHT FOR ANY SINGLE-FAMILY ATTACHED DWELLING UNITS CONSTRUCTED IN ANY OF THE DEVELOPMENT AREAS IS LIMITED TO 48'

AS REQUIRED BY THE ORDINANCE.

THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT OVERALL

CIRCULATION AND DEVELOPMENT PATTERNS ONLY. FOR ADJACENT PARCEL INFO SEE TABLE ON SHEET RZ1-00

FOR STREET SECTIONS & SETBACKS SEE SHEET RZ2-10

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NOT FOR CONSTRUCTION

REZONING

PETITION NO.

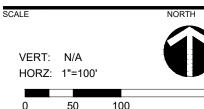
RZP-2023-038

LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

> LEVINE PROPERTIES 5821 BRITTANY CT 11 CHARLOTTE NC 28270

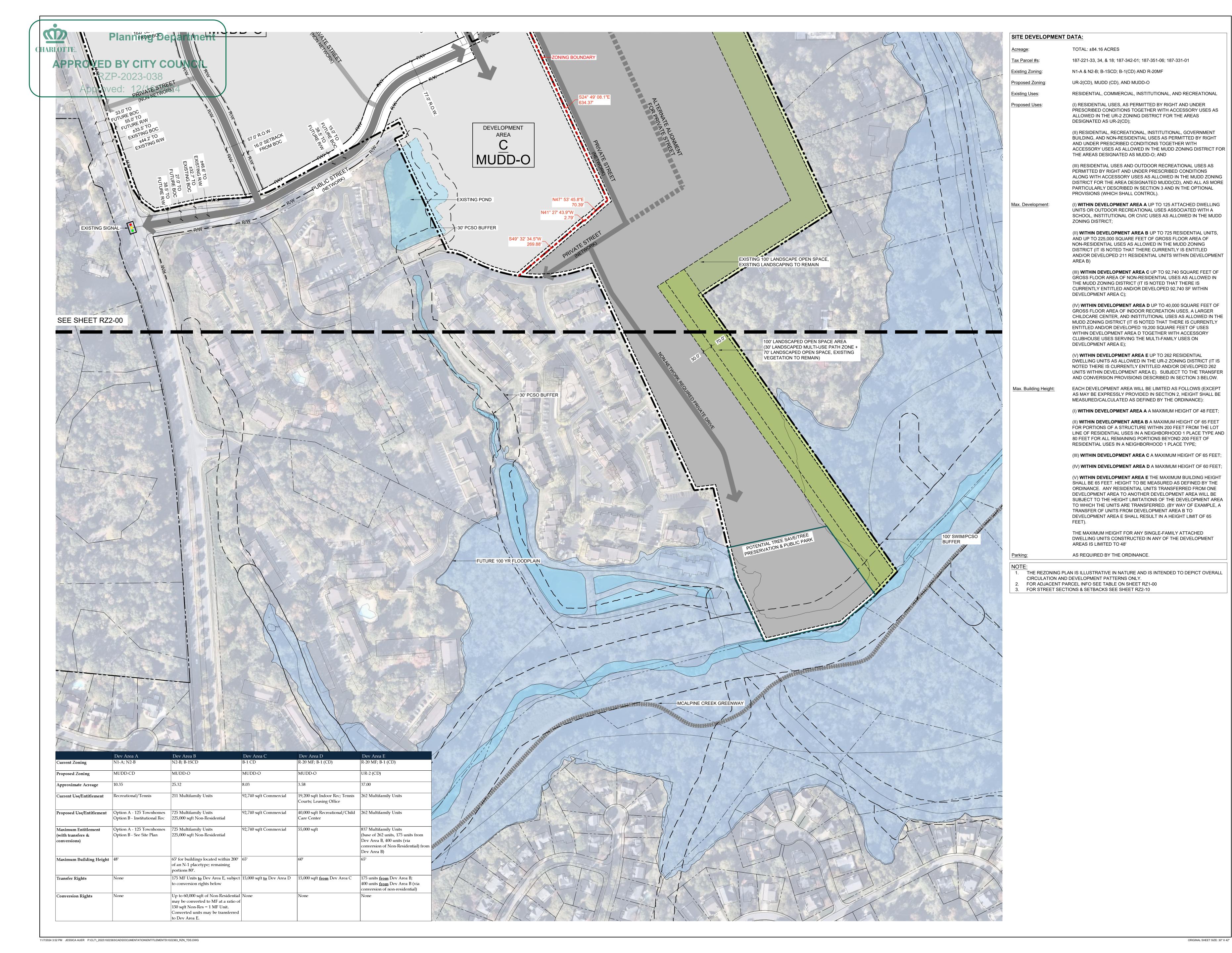
LANDDESIGN PROJ.# 1022363						
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DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI



TECHNICAL DATA SHEET

ORIGINAL SHEET SIZE: 30" X 42"



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REZONING

PETITION NO.

RZP-2023-038

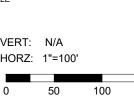
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LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

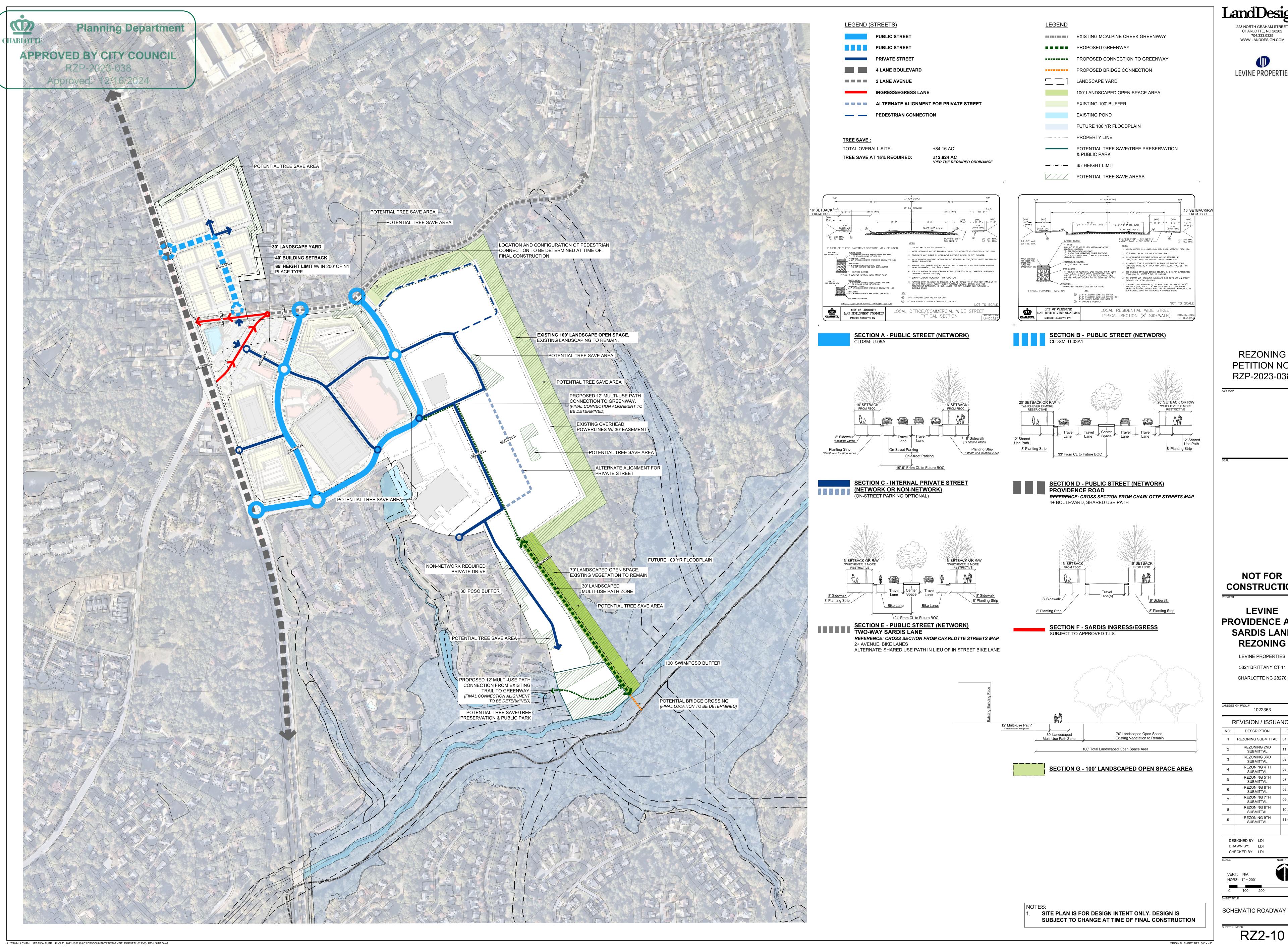
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DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI



TECHNICAL DATA SHEET



223 NORTH GRAHAM STREET



PETITION NO. RZP-2023-038

NOT FOR CONSTRUCTION

LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

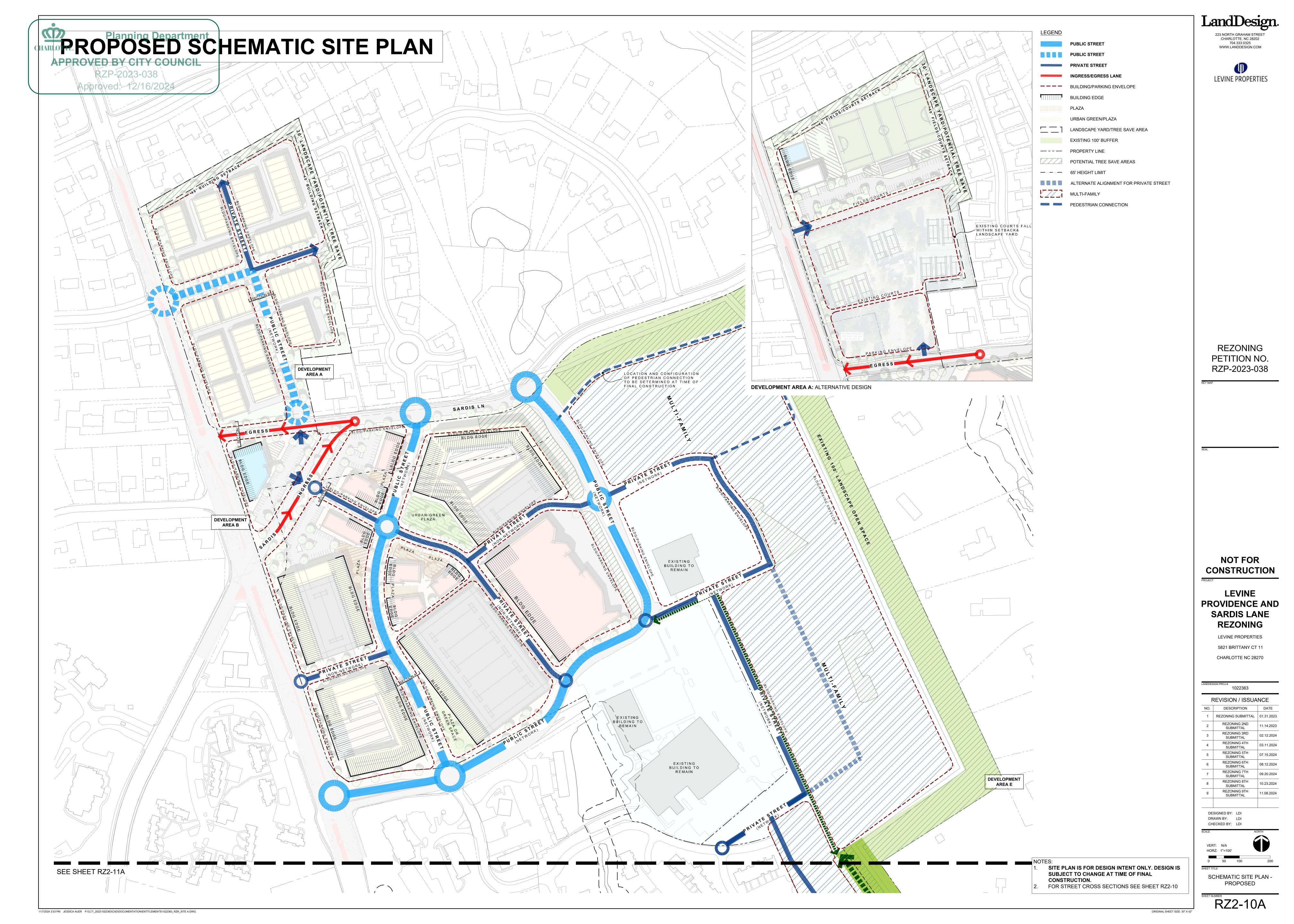
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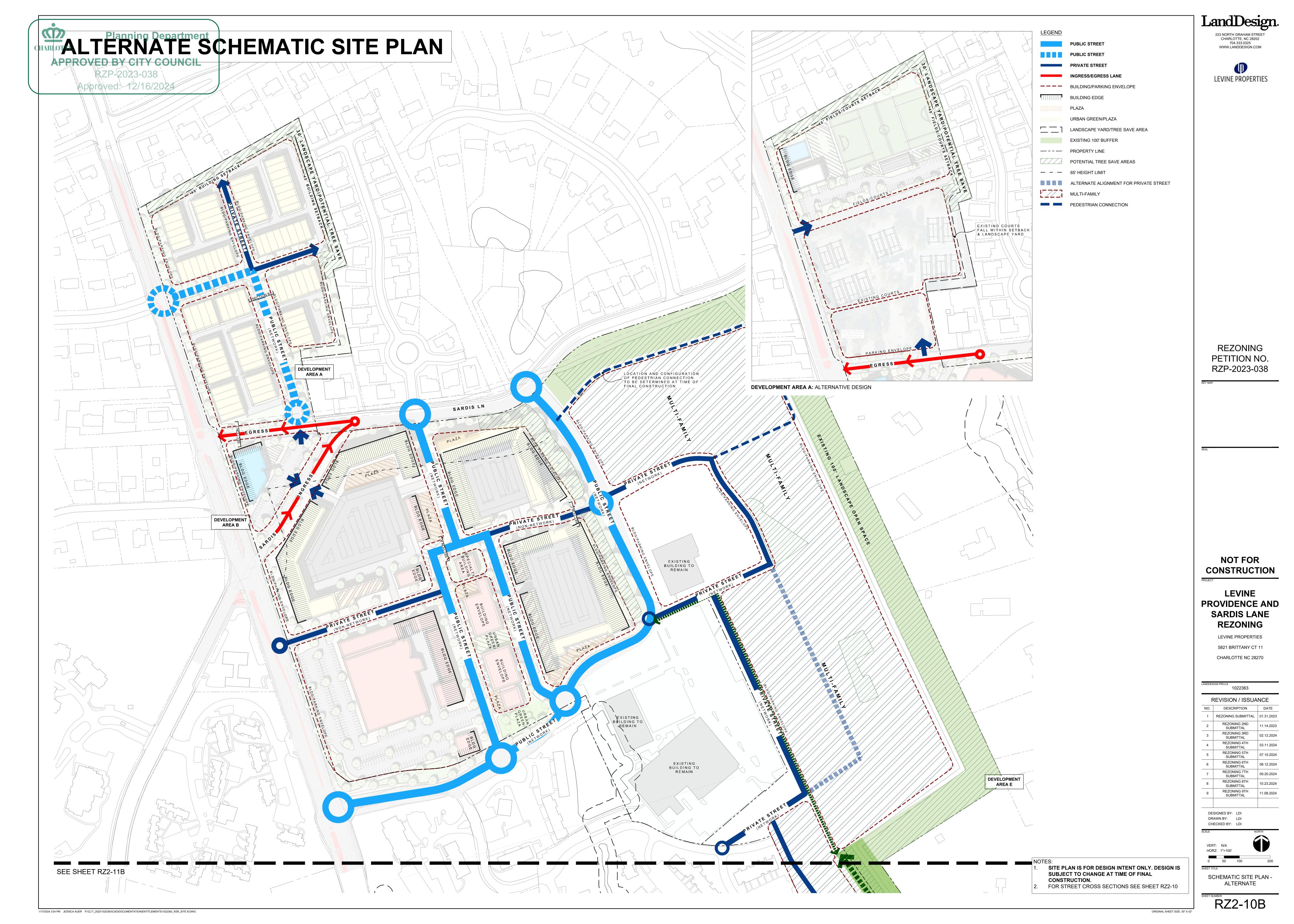
REVISION / ISSUANCE DESCRIPTION REZONING SUBMITTAL 01.31.2023 **REZONING 3RD** SUBMITTAL SUBMITTAL SUBMITTAL REZONING 8TH 10.23.2024 SUBMITTAL REZONING 9TH SUBMITTAL DESIGNED BY: LDI

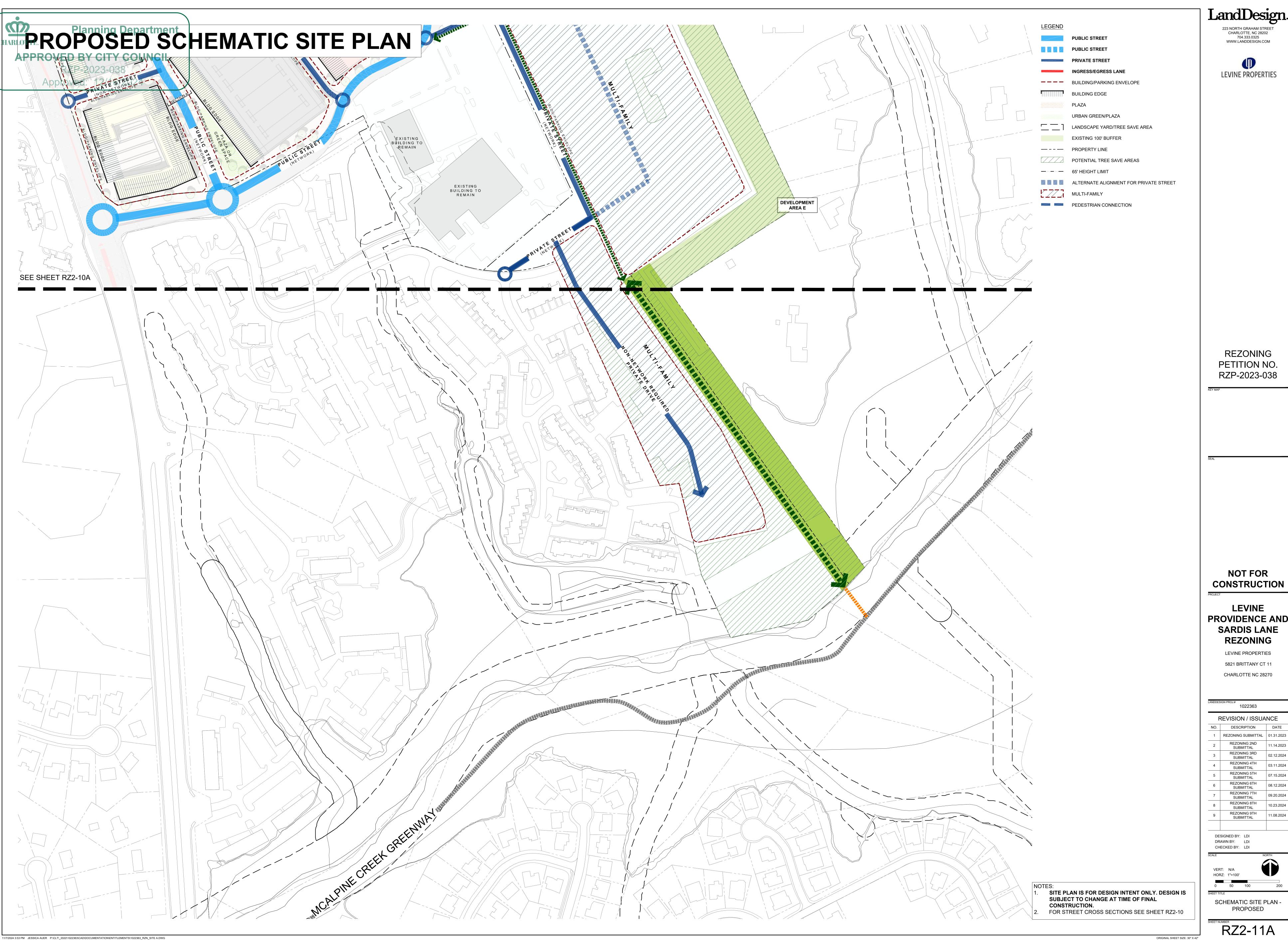
CHECKED BY: LDI

SCHEMATIC ROADWAY PLAN

RZ2-10







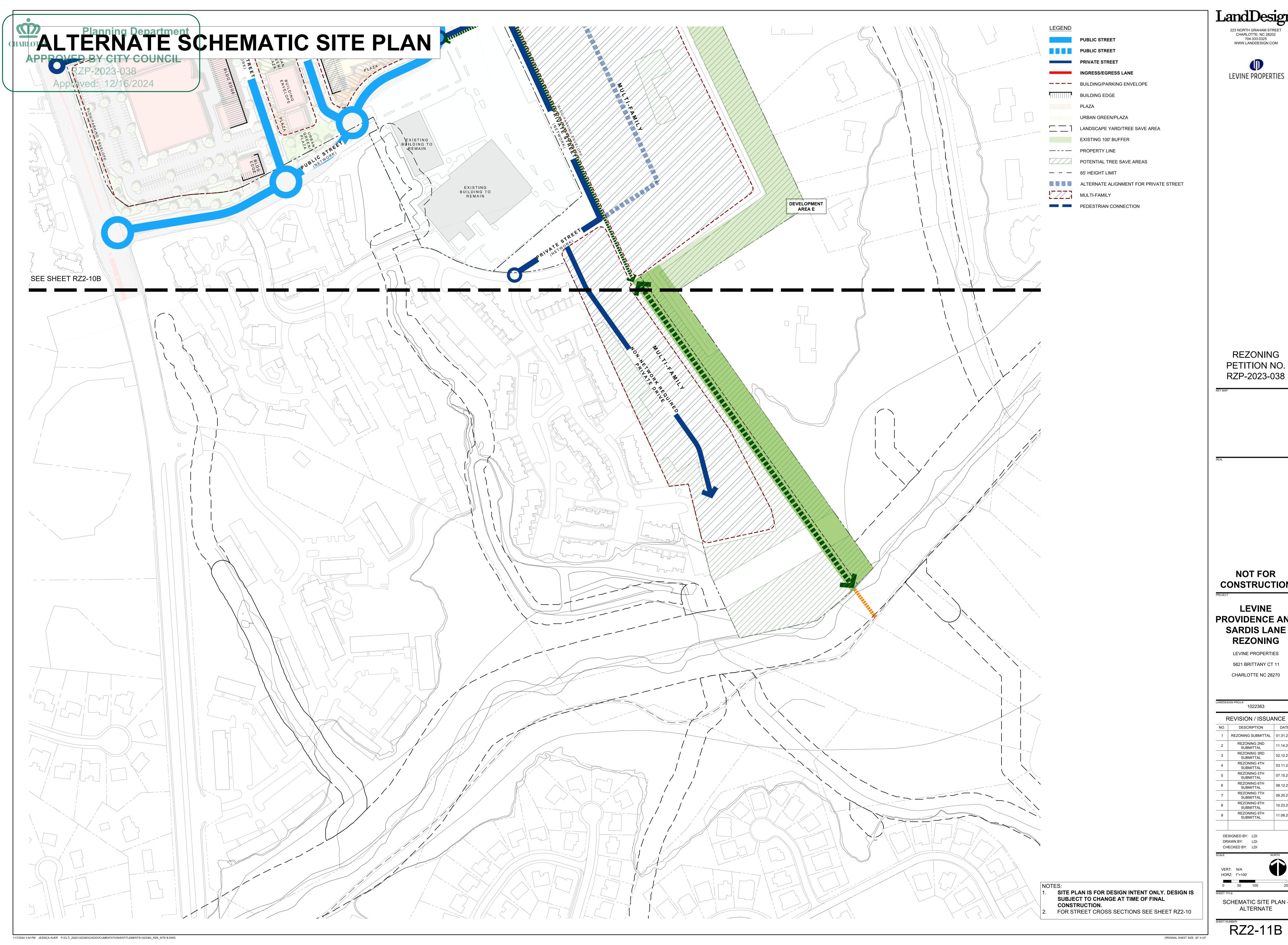
LEVINE PROPERTIES

LEVINE PROVIDENCE AND SARDIS LANE

> LEVINE PROPERTIES 5821 BRITTANY CT 11

REVISION / ISSUANCE

SCHEMATIC SITE PLAN -PROPOSED



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REZONING

NOT FOR CONSTRUCTION

LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

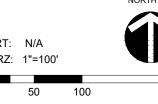
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CHARLOTTE NC 28270

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DESIGNED BY: LDI

DRAWN BY: LDI CHECKED BY: LDI



SCHEMATIC SITE PLAN -ALTERNATE

RZ2-11B

--Proposed Uses: (i) Residential uses, as permitted by right and under prescribed conditions together with accessory uses as allowed in the UR-2 zoning district for the areas designated as UR-2(CD); (ii) residential, recreational, institutional, government building, and non-residential uses as permitted by right and under prescribed conditions to gether with accessory uses as allowed in the MUDD zoning district for the areas designated as MUDD-O; and (iii) residential uses and outdoor recreational uses as permitted by right and under prescribed conditions along with accessory uses as allowed in the MUDD zoning district for the area designated MUDD(CD), and all as more particularly described in Section 3 and in the Optional Provisions below (which shall control).

-Maximum Gross Square Feet/Units of Development: (i) Within Development Area A up to 125 attached dwelling units or outdoor recreational uses associated with a school, institutional or civic uses as allowed in the MUDD zoning district; (ii) within Development Area B up to 725 residential units, and up to 225,000 square feet of gross floor area of non-residential uses as allowed in the MUDD zoning district (it is noted that there currently is entitled and/or developed 211 residential units within Development Area B); (iii) within Development Area C up to 92,740 square feet of gross floor area of non-residential uses as allowed in the MUDD zoning district (it is noted that there is currently entitled and/or developed 92,740 sf within Development Area C); (iv) within Development Area D up to 40,000 square feet of gross floor area of indoor recreation uses, a larger childcare center, and institutional uses as allowed in the MUDD zoning district (it is noted that there is currently entitled and/or developed 19,200 square feet of uses within Development Area D together with accessory clubhouse uses serving the multi-family uses on Development Area E); and (v) within Development Area E up to 262 residential dwelling units as allowed in the UR-2 zoning district (it is noted there is currently entitled and/or developed 262 units within Development Area E). Subject to the transfer and conversion provisions described in Section 3 below.

--Maximum Building Height: Building height for development taking place within each Development Area will be limited as follows (except as may be expressly provided in Section 2 below, height shall be measured/calculated as defined by the Ordinance): (i) within Development Area A a maximum height of 48 feet; (ii) within Development Area B a maximum height of 65 feet for portions of a structure within 200 feet from the lot line of residential uses in a Neighborhood 1 Place Type and 80 feet for all remaining portions beyond 200 feet of residential uses in a Neighborhood 1 Place Type; (iii) within Development Area C a maximum height of 65 feet; (iv) within Development Area D a maximum height of 60 feet; and (vi) within Development Area E the maximum building height shall be 65 feet. Height to be measured as defined by the Ordinance. Any residential units transferred from one Development Area to another Development Area will be subject to the height limitations of the Development Area to which the units are transferred (by way of example, a transfer of units from Development Area B to Development Area E shall result in a height limit of 65 feet) (The maximum and the contraction of the Development Area (by way of example, a transfer of units from Development Area (by way of example, a transf

neight for any single-family attached dwelling units constructed in any of the Development Areas is limited to 48 feet.

EVSE-Installed space is defined as: EV charging stations capable of providing a minimum of 32amp 7.2 kW.

--Electrical Vehicle (EV) Charging Stations: The Petitioner will provide EV-Capable Spaces and EVSE-Installed Spaces for the residential units developed within Development Area B at the following rate: 5% of the required parking spaces for the residential units will be EV-Capable spaces, and a minimum 1% of the required parking spaces for the residential units will be EVSE-Installed Spaces.

V-Capable space is defined as: Reservation of space in the electrical room for a panel to serve the future EV charges and continuous raceway from the reserved panel space to the future parking space.

1. General Provisions:

a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition (the Rezoning") are filed by Levine Properties (the "Petitioner") to accommodate development of a mixed-use residential based community on an approximately 84.16-acre site generally located on the east side of Providence Rd., south of Folger Dr. and north of International Dr. (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 in effect as of the date of filing of the application for the Rezoning on or prior to January 31, 2023 (the "Ordinance"). Unless the Rezoning Plan modifies the standards under the Optional provisions or more stringent standards as part of the conditional site plan, the regulations established under the Ordinance for the UR-2 zoning classification shall govern all development taking place on the portion of Site designated UR-2, and the regulations established under the Ordinance for the MUDD zoning classification shall govern all development taking place on the portion of the Site designated at MUDD, subject to the provisions provided below including without limitation the Optional provisions of Section 2.

c. Development Areas. For ease of reference and as an organizing principal associated with the master planned unified development, the Rezoning Plan sets forth five (5) development areas (and as applicable other sub-areas within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A, B, C, D, and E (each a "<u>Development Areas</u>" and collectively the "<u>Development Areas</u>"). The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan.

d. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below), open space areas and other development matters and all other site elements (collectively the "<u>Development/Site Elements</u>") set forth on the Rezoning Plan shall 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 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. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or ii. do not 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.

e. Planned/Unified Development. The Site shall be viewed as a planned/unified development plan as to the Development/Site Elements, Development Areas and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, public/private street frontage requirements, and other similar zoning/subdivision standards will not be required internally between improvements, Development Areas and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the applicable portion of the Site under development reserve the right to subdivide the portions or all of the Site, including without limitation the Development Areas, and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all density/unit number requirements/limits will be regulated by any development limitations set forth in Section 2 below as to the Site as a whole and not individual portions, Development Areas or lots located

f. Five Year Vested Rights. Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the multi-phase development and master planned large scale nature of the development and/or redevelopment. the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise. g. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the number of buildings constructed on the Site is not limited by this graphic illustration of buildings indicated

on the Rezoning Plan, nor by the location of buildings on the Site. h. Gross Floor Area Clarification. When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, rooftop equipment rooms, loading dock/service areas (indoor or outdoor), trash/recycling storage areas, mechanical and electrical rooms, and outdoor dining, courtyards and gathering areas whether on the roof of the building or at street level. i. Personal Services. Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise, but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas', Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries

and dry cleaning establishments, dental offices, locksmiths, funeral homes and the like. The following optional provisions shall apply to the portions of the Site zoned MUDD-O:

a. To allow parking, loading areas, and maneuvering for parking and loading areas to occur between the proposed buildings in Development Areas B, C and D and Providence Rd., Landmark Dr., International Dr., existing and realigned Sardis Ln.

i. If parking and maneuvering areas for parking are located between the proposed buildings and the public streets identified above a nine (9) foot landscape strip will be provided between the back of sidewalk and the edge of the parking area. The nine (9) foot area will be landscaped with a variety of landscape materials

b. To allow existing parking areas, new parking areas, and maneuvering for parking areas to be located between the existing buildings and the new and existing public streets within Development Areas C and D.

ii. If a loading dock/service area is located between a proposed building and the public streets identified above the loading dock/service area will be screened by an eight (8) foot decorative masonry screen wall.

c. To allow the existing and new buildings within Development Areas C and D to not meet the blank wall requirements of the Ordinance. The existing buildings do not need to comply with the blank wall requirements if the buildings are expanded

d. To not require screening of existing parking areas within Developments Area C and D when uses are changed or expanded.

residential units as described below), for up to a total maximum of 837 residential dwelling units with Development Area E.

e. To not require the removal of existing non-conforming parking located within Development Areas C and D when an existing building undergoes a change of use, or a building is expanded.

f. These optional provisions to exempt existing parking areas from compliance with the Tree Ordinance.

3. Permitted Uses and Development Area Limitations:

a. Subject to the restrictions and limitations, transfer rights, conversation rights, as well as the benefits of the Optional provisions set forth herein, the principal buildings constructed on the Site and located within the applicable Development Areas

(i) Development Area A may be developed with up to 125 attached dwelling units, or outdoor recreation uses associated with a school, institutional or civic use, as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses;

(ii) Development Area B may be developed with up to 725 residential dwelling units, and up to 225,000 square feet of gross floor area of non-residential uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses, and subject to the conversion rights listed below (it is noted that Development Area B is currently entitled/developed with 211 multi-family residential units, the "Existing Area B Development/Entitlement"). Up to 175 of the allowed residential units for Development Area B may be transferred to Development Area E; and, as allowed by the non-residential square footage conversion provisions below any additional units created by the conversion of non-residential square footage may also be transferred to Development Area E (up to 400 additional units may be transferred to Development Area E as part of the conversion provision);

(iii) Development Area C may be developed with up to 92,740 square feet of gross floor area of non-residential uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses (it is noted that Development Area C is currently entitled/developed for up to 92,740 square feet of gross floor area, the "Existing Area C Development/Entitlement"). Up to 15,000 square feet of gross floor area allowed in Development Area C may be

transferred to Development Area D; (iv) Development Area D may be developed with up to 40,000 square feet of gross floor area of indoor recreational uses, a large childcare center, and institutional uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses (it is noted that Development Area D is currently entitled/developed with 19,200 square feet of indoor recreation, the "Existing Area D Development/Entitlement"). The amount of allowed square footage may be increased by the transfer of 15,000 square feet of gross floor area from Development Area C for up to a total maximum within Development Area D of 55,000 gross square feet of floor area subject to the conversion rights listed below;

(v) Development Area E may be developed with up to 262 residential dwelling units as allowed by-right and under prescribed conditions in the UR-2 zoning district together with allowed accessory uses; (it is noted that Development Area E is currently entitled/developed with 262 units, the "Existing Area E Development/Entitlement"; it is further noted that units may or may not be salvaged). The existing units may be renovated, repaired, removed, and/or replaced with new units and buildings. A minimum of 108 of the units within Development Area E shall be available for workforce housing in accordance with the provisions of the following subsection 3.c. The number of units allowed in Development Area E may be increased by up to 575 units, by transferring up to 175 residential units from Development B, and up to 400 additional residential units (via the conversion of allowed non-residential square footage within Development Area B into additional

b. Adjustments to Maximum Development Levels for Uses/Conversions. Additional residential dwelling units may be developed by converting non-residential uses into residential dwelling units at the rate of 150 square feet of gross floor area of such non-residential uses so converted for one (1) residential dwelling unit added. Up to a maximum of 400 residential dwelling units may be created from the conversion of non-residential uses, except that adjustments including increases above such limits may be allowed upon the reasonable approval of CDOT and if applicable NCDOT based upon a determination that such adjustments including increases above such limits are appropriate reflecting ITE daily or peak hour trip generation assessments as may be required by CDOT/NCDOT. The additional residential dwelling units may be added to Development Area E.

c. Workforce Housing Preservation within Development Area E. The Petitioner shall voluntarily provide a workforce housing program to ensure that some residential units are reasonably priced for persons earning less than area median income as follows: the Petitioner shall ensure that no fewer than 108 dwelling units within Development Areas E on the Site shall maintain, for a period of not less than 15 years, monthly rents that are income restricted for households earning 80% or less of the area median income as published annually by the Department of Housing & Urban Development for the Charlotte-Concord-Gastonia, NC Area (AMI). The 15-year period will begin once the certificate of occupancy is issued for applicable proposed work force housing unit.

d. **Prohibited Uses.** The following uses are not allowed on the Site: gasoline service stations, convenience stores with gasoline sales, automobile repair garages and EDEE with accessory drive-through window service (for clarity it is understood

e. Alternative Design Scenarios for Development Areas A & B. The Rezoning Plan illustrates two development design scenarios for Development Areas A and B, on Sheets RZ2-10A and Sheet RZ2-10B. These design scenarios are distinct development options for Development Area A and B that cannot be combined to create a third design scenario. The administrative amendment process outlined in Section 6.207 of the Ordinance cannot be used to combine the allowed development design scenarios. Commencement of construction in either Development Area A or Development Area B based on one of the development design scenarios in the Rezoning Plan shall confirm which development design scenarios will be utilized by the Petitioner for such Development Area.

4. Transportation/Pedestrian Improvements and Access:

I. Improvements Generally: Adjustments to Proposed Improvements; Phasing of Improvements

a. Transportation Improvements Generally. A combined traffic impact study ("TIS") was completed for the Petitioner and Rezoning Petition #2023-039 and Rezoning Petition #2023-023 (the "Other Petitions"), which TIS identifies certain transportation/pedestrian improvements and Providence Road corridor access management improvements (collectively, the "Transportation Improvements") to benefit overall traffic patterns and access management throughout the area. The Petitioner and the petitioners under the Other Petitions, as well as in conjunction with any public/private partnership investments/projects, plan to provide or cause to be provided the Transportation Improvements in accordance with the implementation provisions contained in this Petition and the respective Other Petitions, it being understood that Transportation Improvements have been allocated by and amongst the Petitioners under the Other Petitions in accordance with an assessment of respective traffic impacts reviewed and approved by CDOT. This Section 4 and the Transportation Improvements (including the phases and subphases thereof) may be adjusted administratively in connection with further transportation impact assessment and/or analysis or technical transportation memorandum, as applicable, following customary standards supporting such adjustments and in connection with feasibility concerns and assessment of the overall benefit to the applicable transportation network.

b. Phasing Generally; Subphases; Phasing Development Levels. All Transportation Improvements will be substantially completed and approved by CDOT and/or NCDOT, as applicable, in phases or subphases, that align with the development levels described below (the "<u>Development Levels</u>"), subject to adjustments permitted in Section 3 above such as conversions/transfers of development/uses. Prior to development proceeding in a subsequent phase, or subphase, for transportation purposes, the roadway improvements listed for the given phase, or subphase, subject to other provisions of this Section 4. The primary phases (each, a "Phase" and collectively the "Phases") for transportation purposes and accompanying improvements are set forth in Attachment A to these Development Standards as Phase I mprovements, Phase II Improvements and Phase III Improvements

As indicated, Petitioner may seek to adjust the Phases set forth herein and the corresponding Development Levels set forth below to reflect variations in the nature and amount of development in the Phases and Development Levels set forth herein or by way of "sub-phases" within the Phases, administratively upon the reasonable approval of CDOT and/or NCDOT (as applicable) as described in subsection 4.I.a. above.

Phase I Improvements Development Levels:

Up to 350 new multi-family residential dwelling units and/or new single family attached unit

(NOTE: as described in Section 3 above, it is understood that residential uses permitted within the Site that are part of the Existing Area B Development/Entitlement and the Existing Area E Development/Entitlement shall not result in requirement for installation of any Transportation Improvements as part of the Phases of Development Levels herein).

• Up to 145,000 new square feet of gross floor area of non-residential uses;

(NOTE: as described in Section 3 above, it is understood that non-residential uses permitted within the Site that are part of Existing Area C Development/Entitlement or Existing Area D Development/Entitlement shall not result in the requirement for installation of any Transportation Improvements as part of the Phases of Development Levels herein).

Phase II Improvements Development Levels:

• The development associated with Phase I Improvements Development Levels; and

• Up to 125 multi-family residential dwelling units or single family attached units; (NOTE: as described in Section 3 above, it is understood that residential uses permitted within the Site that are part of the Existing Area B Development/Entitlement and the Existing Area E Development/Entitlement shall not result in requirement for installation of any Transportation Improvements as part of the Phases of Development Levels herein). • Up to 58,000 square feet of gross floor area of non-residential uses;

(NOTE: as described in Section 3 above, it is understood that residential uses permitted within the Site that are part of the Existing Area C Development/Entitlement or Existing Area D Development/Entitlement shall not result in requirement for installation of any Transportation Improvements as part of the Phases of Development Levels herein).

(NOTE: as described in Section 3 above, it is understood that residential uses permitted within the Site that are part of the Existing Area C Development/Entitlement or Existing Area D Development/Entitlement shall not result in requirement

Phase III Improvements Development Levels: • The development associated with Phase Improvements Development Levels set forth above;

• The development associated with Phase II Development Levels set forth above; and • Up to 375 multi-family residential dwelling units or single family attached units;

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(NOTE: as described in Section 3 above, it is understood that residential uses permitted within the Site that are part of the Existing Area B Development/Entitlement and the Existing Area E Development/Entitlement shall not result in

requirement for installation of any Transportation Improvements as part of the Phases of Development Levels herein). • Up to 35,000 square feet of gross floor area of non-residential uses;

for installation of any Transportation Improvements as part of the Phases of Development Levels herein).

II. Proposed Improvements.

The Transportation Improvements and corresponding Phases are set forth on <u>Attachment A</u> to these Development Standards.

III. Standards, Phasing and Other Provisions.

a. CDOT and NCDOT Standards. The Transportation 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 Transportation Improvements may be undertaken by the Petitioners on their own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of this Section 4 shall mean completion of the applicable Transportation Improvements in accordance with the standards set

forth in this Section 4, provided, however, in the event certain non-essential roadway improvements (as reasonably determined by the CDOT and/or NCDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of ecupancy for building(s) on the Site, then CDOT or NCDOT may 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. In the event that portions of the project are phased as described in the Phases and Development Levels set forth above, the Petitioner shall only be required to complete as a condition of the first certificate of occupancy for a specified building associated with Development Level and Transportation Improvements necessary as part of the orresponding Phase, as set forth in this Rezoning or as otherwise allowed by CDOT, each without the need for a rezoning nor site plan amendment to the Rezoning Plan. . Right-of-way Availability. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, it is understood that some of the Transportation Improvements may not be possible without the acquisition of additional right of way. If after the

sercise of diligent good faith efforts over a minimum of a 60-day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then the City of Charlotte, or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department, or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings (not to exceed fair market value). Furthermore, in the event any of the Transportation Improvements are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond 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 the CDOT or NCDOT may instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable Transportation Improvement(s); 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.

applicable Transportation Improvements not completed due to the lack of available right of way, such funds to be used to complete such alternative roadway improvements in the general area of the Site in a manner reasonable agreeable to the d. Right-of-way Conveyance. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, the Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, ight-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a particular phase as described. Petitioner will provide a permanent sidewalk utility easement for any of the proposed sidewalks/multi-use

In addition to the foregoing, in the event the right of way is not available for any reason after the good faith efforts of the Petitioner, the Petitioner will work with the CDOT or NCDOT as applicable to either (i) identify alternative improvements to

path located along the public streets located outside of the right-of-way where ROW dedication is not provided as development takes place on a phased basis. The permanent sidewalk utility easement will be located a minimum of two (2) feet Alternative Improvements. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, changes to the above referenced Transportation Improvements can be approved through the Administrative Amendment process upon the

ion and mutual agreement of Petitioner, the CDOT, NCDOT and the Planning Director; provided, however, the proposed alternate Transportation Improvements provide (in the aggregate) comparable transportation network benefits to the

For example, Transportation Improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in this Section 4.

liability insurance coverage requirements.

improvements identified in this Petition in the overall area of the Rezoning.

a. Access to the Site will be from Providence Road, Sardis Lane, International Drive, and from Landmark Drive, as generally depicted on the Rezoning Plan.

The Petitioner will construct an eight-foot (8') planting strip and a 12-foot multi-use path along the Site's frontage on Providence Rd. as generally depicted on the Rezoning Plan. The construction of the streetscape improvements may be phased in coordination with the construction of the Development Areas.

c. The Petitioner will provide eight-foot (8') planting strips and eight-foot (8') sidewalks along both public and private streets within and abutting Development Area B.

d. The Petitioner will provide eight-foot (8') planting strips and eight-foot (8') sidewalks along Sardis Lane.

e. The Petitioner will provide planting strips and sidewalks in the remaining Development Areas as required by USDG and/or as illustrated on RZ2-10.

f. The Petitioner will construct a public/private street network as generally depicted on the Rezoning Plan. The proposed internal network streets will be constructed to meet USDG standards in place as of filing of the Rezoning. The USDG standard proposed for each such network street has been noted on the Rezoning Plan. The internal streets may either be public or private streets built to street standards with public access easements. The internal street network may be phased in coordination with the construction of the Development Areas. The location of the proposed network required street and private streets within Development Area B may shift from what is illustrated.

g. Proposed Sidewalks may meander to protect existing trees located in right-of-way. The Petitioner reserves the right to work with CDOT and Planning Department during the land development review and approval process to modify the location or the width of the sidewalks required by the USDG or the Rezoning Plan to allow the preservation of existing trees. h. The number and location of access points to the internal public/private street and drives will be determined during the building permit process and thereafter additional or fewer driveways and/or additional streets may be installed or removed

with approval from appropriate governmental authorities subject to applicable statutes, ordinances, and regulations i. 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 reasonably required for approval by CDOT in accordance

j. The Petitioner will dedicate and convey to CDOT 55-feet of right-of-way as measured from the existing center line of Providence Rd. as generally depicted on the Rezoning Plan.

k. The Petitioner will dedicate and convey to CDOT 40-feet of right-of-way as measured from the existing center line of Sardis Ln. as generally depicted on the Rezoning Plan.

1. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and

m. As a result of the proposed re-alignment of Sardis Ln. a portion of existing Sardis Ln. may need to be abandoned. The Petitioner acknowledges that in order to abandon a portion of Sardis Ln. the Petitioner will need to complete and submit a right of way abandonment petition form to CDOT for review. The Right of Way Abandonment process is controlled by North Carolina General Statutes and is independent of this rezoning process.

n. All 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 broad South Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

Architectural and Site Standards and Parking Location Restrictions:

Building Materials for Development Areas A, and B. The principal buildings constructed on Development Areas A, and B may use a variety of building materials. The building materials used for buildings in connection with new development taking place (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, metal, cementitious siding (such as hardie-plank), EIFS or wood. Aluminum as a building material may only be used on windows, soffits and on handrails/railings. The proposed roofing materials will be architectural asphalt shingles, metals type roofing materials may also be used. Vinyl as a primary building material will not be allowed except on windows, balcony railings, on trim elements, and soffits. It is expressly understood that buildings existing currently as of the rezoning filing shall be excluded from requirements of this subsection including in connection with refurbishment of existing buildings.

b. Non-residential and Mixed-Use Design Standards - Development Area B, new principal buildings in Development Area C, and Development Area D:

Building Siting, Building Articulation, Transparency, and Building Design Standards, within Development Area B shall focus on and enhance the pedestrian environment through the following: (i) Build-To Zone (BTZ) (along streets (public or private) with identified building edge(s)): 0 to 20 feet.

(ii) Minimum BTZ Build-To Percentage for each Structure along streets (public or private) with identified building edge(s) (%): 60%

(iii) Minimum Building Length as a Percentage of Lot Width along streets (public or private) with identified building edge(s) (measured at street setback line) (%): 50%. If building has frontage on two streets, then 50% on one street and 30% on the second. If building has frontage on more than two streets, then minimum building length only applies to two streets. (iv) Minimum Ground Floor Height along streets (public or private) with identified building edge(s): 14-feet (finished floor elevation to finished floor elevation). At least 70% of the total ground floor of the building measured as percentage of the interior space, shall meet the minimum ground height requirement.

(v) Maximum Prominent Building Entry Spacing along streets (public or private) with identified building edge(s): 250-feet. (vi) Maximum Building Length along streets (public or private) with identified building edge(s): 600-feet.

(vii) Ground Floor Transparency along streets (public or private) with identified building edge(s) (% of wall area between 3-feet to 10-feet from grade): 50% (viii) Upper Floor Transparency along streets (public or private) with identified building edge(s) (% of wall area per story): 15% (ix) Each building shall have one ground floor entrance along streets (public or private) with identified building edge(s). In the case of a building located on a corner lot with two street frontages, one prominent entrance located on the corner may satisfy this requirement for both frontages, subject to the following:

b. Awnings, canopies, or other covered entry features. c. Special paving, landscape, or lighting features.

a. A chamfered or rounded corner design.

d. Unique architectural detailing that emphasizes the corner entry (x) A minimum of one ground floor entrance along streets (public or private) with identified building edge(s) facing façade shall include a pedestrian connection between the doors and the adjacent pedestrian facilities, where such facilities are present or are required by the Ordinance. Where a building contains multiple tenant spaces on the ground floor along streets (public or private) with identified building edge(s), each tenant space shall have a prominent entrance including a pedestrian connection between doors and adjacent pedestrian facilities, where such facilities are present or are required by the Ordinance.

(xii) Pedestrian-oriented ground floor designs are encouraged, including arcades, galleries, colonnades, outdoor dining area, and outdoor plazas. When integrated into the overall building design, such features are considered to meet any required

Multi-family residential buildings within Development Area B (not attached units within Development Area A) shall adhere to the following standards:

A prominent corner entry shall include design features that reinforce intersections key locations for pedestrian activity. Two of the following shall be included:

Building Siting, Building Articulation, Transparency, and Building Design Standards, within Development Area B shall focus on and enhance the pedestrian environment through the following:

(i) Build-To Zone (BTZ) (along streets (public or private) with identified building edge(s)): 0 to 20 feet. i) Minimum BTZ Build-To Percentage for each Structure along streets (public or private) with identified building edge(s) (%): 60%

(iii) Minimum Building Length as a Percentage of Lot Width along streets (public or private) with identified building edge(s) (measured at street setback line) (%): 50%. If building has frontage on two streets, then 50% on one street and 30% on the second. If building has frontage on more than two streets, then minimum building length only applies to two streets. (iv) Minimum Ground Floor Height along streets (public or private) with identified building edge(s): 10-feet (finished floor elevation to finished floor elevation). At least 30% of the total ground floor of the building measured as percentage of the interior space, shall meet the minimum ground height requirement.

(vi) Maximum Building Length along streets (public or private) with identified building edge(s): 600-feet. (vii) Ground Floor Transparency along streets (public or private) with identified building edge(s) (% of wall area between 3-feet to 10-feet from grade): 25%

(viii) Upper Floor Transparency along streets (public or private) with identified building edge(s) (% of wall area per story): 15% (ix) Each building shall have one ground floor entrance along streets (public or private) with identified building edge(s). In the case of a building located on a corner lot with two street frontages, one prominent entrance located on the corner may

satisfy this requirement for both frontages, subject to the following: (x) A prominent corner entry shall include design features that reinforce intersections key locations for pedestrian activity. Two of the following shall be included:

e. A chamfered or rounded corner design. f. Awnings, canopies, or other covered entry features g. Special paving, landscape, or lighting features.

h. Unique architectural detailing that emphasizes the corner entry (xi) A minimum of one ground floor entrance along streets (public or private) with identified building edge(s) facing façade shall include a pedestrian connection between the doors and the adjacent pedestrian facilities, where such facilities are

adjacent pedestrian facilities, where such facilities are present or are required by the Ordinance. (xiii) Pedestrian-oriented ground floor designs are encouraged, including arcades, galleries, colonnades, outdoor dining area, and outdoor plazas. When integrated into the overall building design, such features are considered to meet any required d. Attached residential units constructed on the site shall adhere to the following standards:

(xii) Where a building contains multiple tenant spaces on the ground floor along streets (public or private) with identified building edge(s), each tenant space shall have a prominent entrance including a pedestrian connection between doors and

To provide privacy, all residential entrances within 10 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24 inches.

i) Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed. (iii) Townhome units along a network required street shall present a front elevation to the network required street. (iv) The front elevation of each dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 10 feet on each level of the dwelling unit.

(vi) Architectural features such as, but not limited to, banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls along public streets.

(v) All corner/end units that face a public or private network street shall have an architectural element that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all building levels or supplemental landscaping to buffer the unit.

(v) Maximum Prominent Building Entry Spacing along streets (public or private) with identified building edge(s): 250-feet.

(vi) Townhouse buildings fronting public or private network required streets shall be limited to six (6) individual units or fewer. e. Outdoor recreational uses associated with a school, institutional or civic use, if constructed within Development Area A shall adhere to requirements of the Ordinance and the following standards:

(i) Outdoor recreation facilities adjacent to a Neighborhood 1 or Neighborhood 2 Place Type shall limit hours of operation to between 6:00 a.m. and 11:00 p.m.

f. New Multi-Family residential units within Development Area E shall adhere to the following architectural standards:

(i) The building materials used on new principal buildings will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious fiber board, stucco, decorative block and/or wood. Vinyl or aluminum as a

The following right-in only and left-in/left-out access configuration: building material may only be used on windows, soffits, and on handrails/railings. (ii) Building Massing - Buildings exceeding 120 feet in length along public streets shall include modulations of the building massing/façade plane (recess, projection, architectural treatment, etc.). Modulations shall be a minimum of 10 feet wide and shall extend or recess a minimum of 5 feet, extending through all floors.

(iii) Vertical Modulation and Rhythm - Building elevations along public streets shall be designed with recognizable vertical bays or articulated architectural façade features. The bays and features may include, but not limited to a combination of exterior wall offsets, projections, and/or recesses, pilasters, and change in materials (iv) Building Base - Buildings along public roads shall be designed with a recognizable architectural base. (v) Building elevations facing public streets shall not have expanses of blank walls greater than 20 feet in length.

(vii) Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards: a. Long rooflines (pitched or flat) shall avoid continuous expanses without variation by including changes in height and/or roof form (E.G. dormers, gables, etc.). b. For pitched roofs, the allowed minimum pitch shall be 4:12 (four feet in vertical height for every twelve feet in horizontal length), excluding buildings with a flat roof and parapet walls. (viii) Ground mounted utility structures, such as HVAC units, shall be screened from public view and from view of adjacent properties at grade architecturally or with evergreen plant material.

(x) Meter banks will be screened from adjoining properties and from abutting public streets.

7. Streetscape, Landscaping and Buffer:

a. Along Site's frontage on Providence Road within Development Area A and Development Area B a 22-foot setback as measured from the future back of curb will be provided as generally depicted on the Rezoning Plan, along the. This proposed setback will not apply to existing buildings and parking areas located within the Site that are not removed.

d. The proposed setback along Landmark Dr. will be 16-feet as measured from the existing back of curb as generally depicted on the Rezoning Plan. This proposed setback will not apply to existing building and parking areas located within the Site.

(ix) Dumpster and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The all or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the

b. Within Development Area A and B, the setback along the new portions Sardis Ln. (ingress/egress) will be 16 feet as measured from the future back of curb as generally depicted on the Rezoning Plan. The Setback along existing Sardis Ln. within Development Area B will be 16.0 feet as measured from the future back of curb. c. The setback along Sardis Ln. within Development Area E will be 100-feet as measured from the future right-of-way as generally depicted on the Rezoning Plan.

e. The proposed setback along International Dr. will be 16-feet as measured from the back of curb as generally depicted on the Rezoning Plan.

f. The proposed setback along the new network required streets will be 16-feet as measured from the back of curb as generally depicted on the Rezoning Plan.

g. The proposed setback along the new internal private streets will be 16-feet as measured from the back of curb as generally depicted on the Rezoning Plan.

h. If parking and maneuvering areas for parking are located between the proposed buildings and a public or private street a nine (9) foot landscape strip will be provided between the back of sidewalk and the edge of the parking area. The nine (9) foot area will be landscaped with a variety of landscape materials.

If a loading dock/service area is located between a proposed building and a public or private street the loading dock/service area will be screened by an eight (8) foot decorative masonry screen wall.

If Development Area A is developed with attached dwelling units a 40-foot side/rear yard will be provided along the eastern and northern property boundary of Development Area A. Within the 40-foot side/rear yard a 30-foot landscape open space area will be provided between the units in Development Area A and the existing adjacent single-family homes. This landscape open space area will be a minimum of 30 feet wide and will be planted to meet Class C Buffer standards as generally depicted on the Rezoning Plan.

k. If Development Area A is developed with outdoor recreational uses associated with a school, institutional or civic use, then a 40-foot wide side/rear yard will be provided along the eastern and northern property boundary. The active area of any new sports field/court will not be allowed within the 40-foot side/rear yard, within the 40-foot yard a 30-foot-wide landscape area planted to meet Class C Buffer standards will be provided. If the existing tennis courts are kept and utilized as part of the outdoor recreational use a buffer will not be required between the existing tennis courts and the adjoining residential uses.

Within Development Area E a 100-foot-wide landscaped open space area will be provided along the northern and along the eastern property boundary, except for the portion of eastern boundary which will be improved with a greenway access trail to provide a connection to McAlpine Greenway as generally depicted on the Rezoning Plan. In the area where the greenway access trail will be constructed a 70-foot landscape open space area will be provided along the eastern property line and a 30-foot landscape share-use path zone will be provided to connect McAlpine Creek Greenway into the Site as generally depicted on the Rezoning Plan.

a. 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 from and engineering perspective with this rezoning. Adjustments may be necessary to accommodate actual storm water treatment requirements and natural site discharge points.

implement traffic mitigation in lieu of the Transportation Improvements impacted by the lack of right of way as described in subsection e. below; or (ii) contribute to CDOT or NCDOT as applicable, an amount equal to the estimated cost of the delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions. c. For adjoining parcels (Tax parcel #'s 187-351-02,03,04,07, and 09 the "Adjoining Parcels") receiving storm water discharge, the Petitioner shall complete a downstream analysis of the existing storm water conveyance on the Adjoining Parcels to the floodplain. If the existing storm water conveyance on the Adjoining Parcels is found to be out of standard, the Petitioner shall make a good faith effort with the adjoining property owner(s) to improve the storm water conveyance or mitigate

the storm water discharge onto the adjoining parcels. If the Petitioners good faith efforts with the adjoining property owner(s) fail the Petitioner may at its discretion choose to further mitigate the storm water discharge from the Site.

b. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream

d. The Site will comply with the requirements of the City of Charlotte Tree Ordinance and the City Post Construction Stormwater Ordinance.

Open Space: Open space areas shall be available on the Site with portions of such open space areas available for active uses as determined during the design development approval process. a. Within Development Area B several amenitized open space areas will be provided. A minimum of 5,000 square feet of amenitized open space will be provided within Development Area B.

b. Within Development Area C an amenitized open space area will be provided. A minimum of 2,500 square feet of amenitized open space will be provided. The amenitized open space area will be provided when a new building is constructed within Development Area C

c. Within Development Area A, if developed with residential units, and Development Area E an amenity area(s) will be provided within each of these Development Area. Within Development Area A minimum of 2,500 square feet of improved open space will be provided, and within Development Area E a minimum of 5,000 square feet of improvement open space will be provided. The improved open space areas will be located at a location that is convenient to the future residents of each Development Area. The proposed open space areas will be improved with at least three of the following elements: walking paths, landscaping, seating areas, and structures appropriate to the proposed open space area.

a. Signage as allowed by the Ordinance may be provided. The Site will be viewed as a Planned/Unified Development as defined by the Ordinance; consequently, uses located on the interior of the Site may be identified on the allowed signs for the

uses in Development Areas A, B, and vice-versa. 11. <u>Lighting:</u>

b. Detached lighting on the Site, except streetlights located along public streets, lighting for outdoor recreational uses, and existing lighting in Development Area C and D, will be limited to 25 feet in height. c. The following lighting standards will apply to lighting associated with new outdoor reactional uses located on Development Area A.

i. All lighting shall be of full cut-off or semi cut-off lighting design. ii. Outdoor recreational uses are permitted a total lighting height of 65 feet.

a. All new lighting shall be decorative, capped, or downwardly directed.

iii. All lighting shall be directed onto the uses iv. The recreational use lighting shall be extinguished one hour following the end of a scheduled event or the close of the use to the public, whichever is applicable. v. Lighting outside the recreational use, such as for parking areas, shall be limited to a maximum height of 25 feet and is not limited to the timeframe limitation described above.

12. Public Park Dedication, Shared Use Path Connection, and Pedestrian Bridge to McAlpine Greenway:

a. The Petitioner will provide a 30-foot landscaped shared-use path zone with an access easement to Mecklenburg County as part of the proposed 100-foot landscaped open space area located within the southeast corner of Development Area E as generally depicted on the Rezoning Plan. The 30-foot landscaped shared-use path zone will be improved with a 12-foot shared use path (the "SUP"), which SUP shall be built in accordance with Mecklenburg County design standards. The 12-foot SUP will be connected to the Site's internal sidewalk network, so that each Development Area will have access to the SUP which will also be connected to McAlpine Creek Greenway and the Public Park (as defined in subsection b., below). The 12-foot SUP will be constructed prior to the issuance of a certificate of occupancy for any new development occurring within Development Area E. Upon completion of construction, the Petitioner will dedicate and convey to Mecklenburg County (i) an easement over the 30-foot landscape SUP zone to allow public connectivity to the Public Park and McAlpine Creek Greenway, and (ii) a non-exclusive access easement from a public right-of-way, over and across roadways located on the Site, to provide Mecklenburg County with vehicular access to the 30-foot landscape SUP zone for the purposes of maintenance and repair thereof.

b. The Petitioner will dedicate and convey to Mecklenburg County for the development by Mecklenburg County as a public park approximately 2.5 acres within Development Area E adjacent to McAlpine Creek as generally depicted on the Rezoning Plan (the "Public Park"), together with a non-exclusive access easement from a public right-of-way, over and across roadways located on the Site, to provide Mecklenburg County with vehicular access to the Public Park the purposes of construction, maintenance and repair thereof. The area for the Public Park and the accompanying vehicular access easements will be dedicated and conveved to Mecklenburg County prior to the issuance of a certificate of occupancy for any new development occurring within Development Area E. Tree save areas may be included in the Public Park. The Petitioner will provide connections from the Public Park to the proposed SUP, the existing pedestrian trail located on the adjoining Reserve apartments (tax parcel # 187-351-04), if permission to make this connection from the adjoining property owner is granted to the Petitioner, each as generally depicted on the Rezoning Plan.

c. The Petitioner will work with Mecklenburg County Park and Recreation (MCPR) to design and construct a bridge over McAlpine Creek that will connect the Site via the proposed SUP to the existing McAlpine Creek Greenway, which bridge shall be built in accordance with Mecklenburg County design standards. The design and funding of the bridge to be coordinated between the Petitioner for Rezoning Petition #2023-039, the petitioner for Rezoning Petition #2023-023 and MCPR, and the Petitioner agrees to materially contribute to the cost of such design and construction prior to the issuance of a certificate of occupancy for any new development within Development Area E. The location of the proposed bridge to the McAlpine Creek Greenway and the oversight process for construction thereof to be determined during the land development approval process for the Development Area E.

a. The Petitioner will work with CATS to maintain the existing bus stops located along Providence Rd. If any of the existing bus stops conflict with the proposed development the Petitioner will coordinate new location with CATS during the Land Development plan review process. The existing bus stop and associated shelter located just north of International Drive will be re-established if it is removed during construction. The existing bus stop just north of Sardis Ln. will be replaced with

3. Charlotte Area Transit System:

a new waiting pad (CATS STD 60.01A) as part of the development of Development Area A.

a. As part of the redevelopment of any Development Area, such Development Area will comply with the subdivision regulations.

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 or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance. 16. 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 and their respective heirs, devisees, personal representatives, successors in interest or assigns.

ATTACHMENT A TO DEVELOPMENT STANDARDS FOR REZ. PET. #2023-038 - LIST OF TRANSPORTATION IMPROVEMENTS SEE SECTION 4. I. OF THE DEVELOPMENT STANDARDS FOR APPLICABLE DEVELOPMENT LEVELS ASSOCIATED WITH THE IMPROVEMENTS DESCRIBED BELOW AND OTHER PROVISIONS ASSOCIATED

[NOTE: improvements numbering below corresponds to the number assigned to the applicable improvement in the Transportation Impact Study prepared by DRG dated as of September 2024, as supplemented (the "<u>TIS</u>")]

14. Providence Road & Turnbridge Road/Access "A" (Unsignalized)

The following right-in/right-out/left-in access configuration:

WITH TRANSPORTATION IMPROVEMENTS.

• One ingress lane and one egress lane (a terminating westbound right turn lane) on proposed Access "A". Construct a southbound left turn lane with 100 feet of storage.

 Construct a terminating northbound right turn lane. • Maximize storage for the existing northbound left-turn lane (approximately 350 feet) to the Sardis Lane Egress.

• Provide a U-turn bulb south of Turnbridge Road to accommodate northbound U-turns for passenger vehicle movements. 15. Providence Road & Sardis Lane (Unsignalized)

The following egress only roadway configuration: • Convert Sardis Lane from a two-way to a one-way (westbound) roadway from the fire station driveway to Providence Road with the following configuration:

O Three egress lanes (a terminating westbound left turn lane, a terminating westbound right turn lane, and a separate westbound right turn lane with 150 feet of storage).

 Install a traffic signal. All dual rights will be channelized. Construct an additional northbound thru lane that terminates as a right turn lane at Turnbridge Road.

Remove the existing northbound left turn lane to maximize southbound left turn storage at Old Providence Road/Sardis Lane Ingress.

16. Providence Road & Old Providence Road/Sardis Lane Ingress (Signalized) The following ingress only roadway configuration:

• Construct a new one-way (eastbound) roadway that connects/extends Old Providence Road to Sardis Lane with two lanes from Providence Road to Dunedin Lane. Construct dual southbound left turn lanes with maximized storage. • Convert the existing eastbound left-right turn lane to a combined thru left turn lane.

• Construct an eastbound right turn lane with 250 feet of storage. • Construct a northbound right turn lane with 100 feet of storage.

• Construct an additional northbound thru lane. • Extend the existing eastbound left turn lane from 250 to 450 feet of storage.

• Extend the existing northbound left turn lane from 150 to 230 feet of storage. • Coordination is necessary during permitting to determine if "Do Not Block Intersection" signage is needed for the intersection. • Coordinate any necessary signal modifications required by CDOT Engineering and Operations during permitting.

23. Sardis Lane Ingress & Access "I" (Unsignalized)

 Construct an eastbound thru-left turn lane, a thru-lane, and a right turn lane with 50 feet of storage on Sardis Lane Ingress. • Construct a terminating southbound left turn lane on Access "I"

24. Sardis Lane Ingress & Access "J" (Unsignalized) The following right-in/right-out and left-in/left-out access configuration:

• Construct a westbound thru-left turn lane in addition to the existing thru-right turn lane on Sardis Lane Egress. • Construct a terminating southbound right-turn lane on Access "J' • Construct a terminating northbound left-turn lane on Access "J"

• Construct an additional northbound thru lane that terminates as a right turn lane at Turnbridge Road.

• Coordinate any necessary signal modifications required by CDOT Engineering and Operations during permitting Evaluate the existing northbound U-turn bulb to ensure it can accommodate an SU-30. Modifications may be necessary (to be coordinated during permitting)

• One ingress lane and two egress lanes (a terminating northbound left turn lane and a separate right turn lane with 100 feet of storage) on proposed Access "D"

18. <u>Sardis Lane & Landmark Drive/Access "D" (Signalized)</u>

The following full movement access configuration:

17. Providence Road & International Drive (Signalized)

• Construct a westbound left turn lane with 300 feet of storage. Install a traffic signal.

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NOT FOR

LEVINE PROVIDENCE AND REZONING

LEVINE PROPERTIES

5821 BRITTANY CT 11

CHARLOTTE NC 28270

REVISION / ISSUANCE DESCRIPTION REZONING SUBMITTAL 01.31.2023 11.14.2023 REZONING 3RD 02.12.2024 SUBMITTAL **REZONING 4TH** 03.11.2024 SUBMITTAL REZONING 5TH 07.15.2024 SUBMITTAL 08.12.2024 SUBMITTAL **REZONING 7TH** SUBMITTAL REZONING 8TH 10.23.2024 SUBMITTAL REZONING 9TH SUBMITTAL

> DRAWN BY: LDI CHECKED BY: LDI

DESIGNED BY: LDI

VERT: N/A

HORZ: AS NOTED

DEVELOPMENT STANDARD

ORIGINAL SHEET SIZE: 30" X 42"

7. Providence Road & Rea Road/Alexander Road (Signalized):

Construct an additional southbound right turn lane, with 175 feet of storage and channel ze both turn lane.

Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance. PAdd LPI+ for all right turn lanes except where dual rights are present (RT FYA and LED Blankout sign).
 During permitting evaluate southbound U-turn movements for passenger vehicles and make any necessary right-of-way, to accommodate southbound passenger vehicle U-turn movements.

 APPROVED BY CITY COUNCIL

CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

223 NORTH GRAHAM STREET

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Providence Road & Outerbridge Lane Ved: 12/16/2024 • Construct a median to restrict Outerbridge Lane to right-in/right-out.

Providence Road & Hamilton Mill Road

• Convert to directional cross-over.

• Convert the existing directional cross-over to a full movement traffic signal. • During permitting evaluate southbound U-turn movements for passenger vehicles and make any necessary modifications, within the existing right-of-way, to accommodate southbound passenger vehicle U-turn movements.

C. Phase III Improvements

1. Providence Road & Sharon Lane/S Sharon Amity Road (Signalized)

• Construct a southbound right turn lane with 150 feet of storage. Implement southbound right turn overlap phasing. • Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance.

• Construct a northbound right turn lane with 100 feet of storage. Add LPI+ for all right turn lanes (RTFYA and LED blankout sign).

2. Providence Road & Fairview Road/Sardis Road (Signalized)

• Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance. • Add LPI+ for all right turn lanes (RT FYA and LED Blankout sign).

3. Sardis Road & Rama Road (Signalized)

• Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance.

6. Sardis Road & Sardis Road N (Signalized)

• Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance.

9. Old Providence Road & Sharon View Road (Signalized)

• Install APS pushbuttons and upgrade any ramps that are out of PROWAG/ADA compliance. • Add LPI+ for right turn lane (RT FYA and LED blankout sign).

> REZONING RZP-2023-038

NOT FOR CONSTRUCTION

LEVINE PROVIDENCE AND SARDIS LANE REZONING LEVINE PROPERTIES

5821 BRITTANY CT 11 CHARLOTTE NC 28270

REVISION / ISSUANCE NO. DESCRIPTION DATE 1 REZONING SUBMITTAL 01.31.2023 11.14.2023 REZONING 3RD SUBMITTAL 03.11.2024 SUBMITTAL REZONING 5TH SUBMITTAL 08.12.2024 REZONING 7TH SUBMITTAL REZONING 8TH 10.23.2024 REZONING 9TH SUBMITTAL 11.08.2024

DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI

VERT: N/A HORZ: AS NOTED

ORIGINAL SHEET SIZE: 30" X 42"

DEVELOPMENT STANDARD NOTES

11/7/2024 3:54 PM JESSICA AUER P:\CLT_2022\1022363\CAD\DOCUMENTATION\ENTITLEMENTS\1022363_RZN_NOTE.DWG