Planning Department

PID #:17903240
BARBARA BUCHANAN BENDEF
3301 SUNNYBROOK DR
CHARLOTTE NC 28210
DB 08178 PG 442
EX. ZONING: NI-AA
EX. LAND USE: SINGLE FAMIL
RESIDENTIAL

PID #:17903242 MIRIAM C HANNAN 3319 SUNNYBROOK DR CHARLOTTE NC 28210 DB 31164 PG 870 EX. ZONING: N1-A EX. LAND USE: SINGLE FAMILY RESIDENTIAL

PID #:17903244
THOMAS N JR INGRAM
3335 SUNNYBROOK DR CHARLOTTE NC
28210
DB 22757 PG 571
EX. ZONING: N1-A
EX. LAND USE: SINGLE FAMILY
RESIDENTIAL

APPROVED BY CITY COUNCIL

RZP-2024-111

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DEVELOPMENT

AREA 'B' MUDD-O SPA

CAMPUS (EXISTING)

(FUTURE DEVELOPMENT)

PORTIONS OF A STRUCTURE LIMITED TO MAXIMUM HEIGHT OF 75'

SKILLED NURSING AND SPECIAL CARE ADDITION

BUILDING A

DEVELOPMENT AREA 'A'

INST(CD) SPA

(REMAINING PORTION OF) SHARON TOWERS CAMPUS (EXISTING)

MAX. BUILDING HEIGHT OF 130' SHALL APPLY TO EXISTING AND THE REDEVELOPMENT OF AN EXISTING BUILDING ON THE SHARON CAMPUS.

PORTIONS OF A STRUCTURE LIMITED TO MAXIMUM HEIGHT OF 50'

DEVELOPMENT

R-3 (CD) SPA

PORTIONS OF A STRUCTURE
LIMITED TO MAXIMUM HEIGHT OF
60' (NORTH OF HEIGHT BOUNDARY)
83' (SOUTH OF HEIGHT BOUNDARY)

, IN DEVELOPMENT AREA 'B'

SHARON VIEW RD

THE 2024 SITE PLAN AMENDMENT IS INTENDED TO BRING THE CAMPUS OF THE SHARON UNDER ONE UNIFIED REZONING PETITION. ZONING OF THE SITE SHALL BE GOVERNED BY THIS REZONING PETITION AND THE PROVISIONS OF THE CHARLOTTE ZONING ORDINANCE THAT WAS IN PLACE PRIOR TO THE ADOPTION OF THE CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE.

THE REQUEST DOES NOT INCLUDE INCREASED SQUARE FOOTAGE AND/OR UNITS OR A CHANGE IN PERMITTED PRINCIPAL USES. AS SUCH, ANY DISCREPANCIES IN THE PERMITTED ENTITLEMENTS SHALL RELY ON THE ORIGINAL 2013 AND 2018 REZONING PETITIONS.

THE SITE PLAN AMENDMENT REQUESTS ARE LIMITED TO THE FOLLOWING:

- COMBINATION OF TWO BUILDINGS INTO ONE BUILDING AND CHANGE IN THE OVERALL FOOTPRINT IN THE AREA TO BE
- ZONED MUDD-O SPA • UPDATES TO THE ARCHITECTURAL ELEVATION IN THE AREA TO
- BE ZONED MUDD-O SPA 5' INCREASE IN THE TOTAL PERMITTED HEIGHT ALONG THE
- HAZELTON EDGE IN THE AREA TO BE ZONED MUDD-O SPA ADDITIONAL MONUMENT SIGN IN THE AREA TO BE ZONED INST
- (CD) SPA NEAR THE INTERSECTION OF EASTBURN

SITE LEGEND

PROPOSED DEVELOPMENT AREA

DEVELOPMENT AREA 'A' - INST(CD) SPA REMAINING PORTION OF SHARON TOWERS CAMPUS (EXISTING)

DEVELOPMENT AREA 'B' MUDD-O SPA PROP. DEVELOPMENT AREA

DEVELOPMENT AREA 'C'

PORTIONS OF A STRUCTURE LIMITED

TO MAXIMUM HEIGHT OT 50' PORTIONS OF A STRUCTURE LIMITED

PORTIONS OF A STRUCTURE LIMITED

TO MAXIMUM HEIGHT OT 75'

TO MAXIMUM HEIGHT OT 65'

IN DEVELOPMENT AREA 'B': PORTIONS OF A STRUCTURE LIMITED TO MAXIMUM HEIGHT OF 60' (NORTH OF HEIGHT BOUNDARY) 83' (SOUTH OF HEIGHT BOUNDARY)

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R-3(CD) SPA HAZELTON DR. OPEN SPACE

THE SHARON

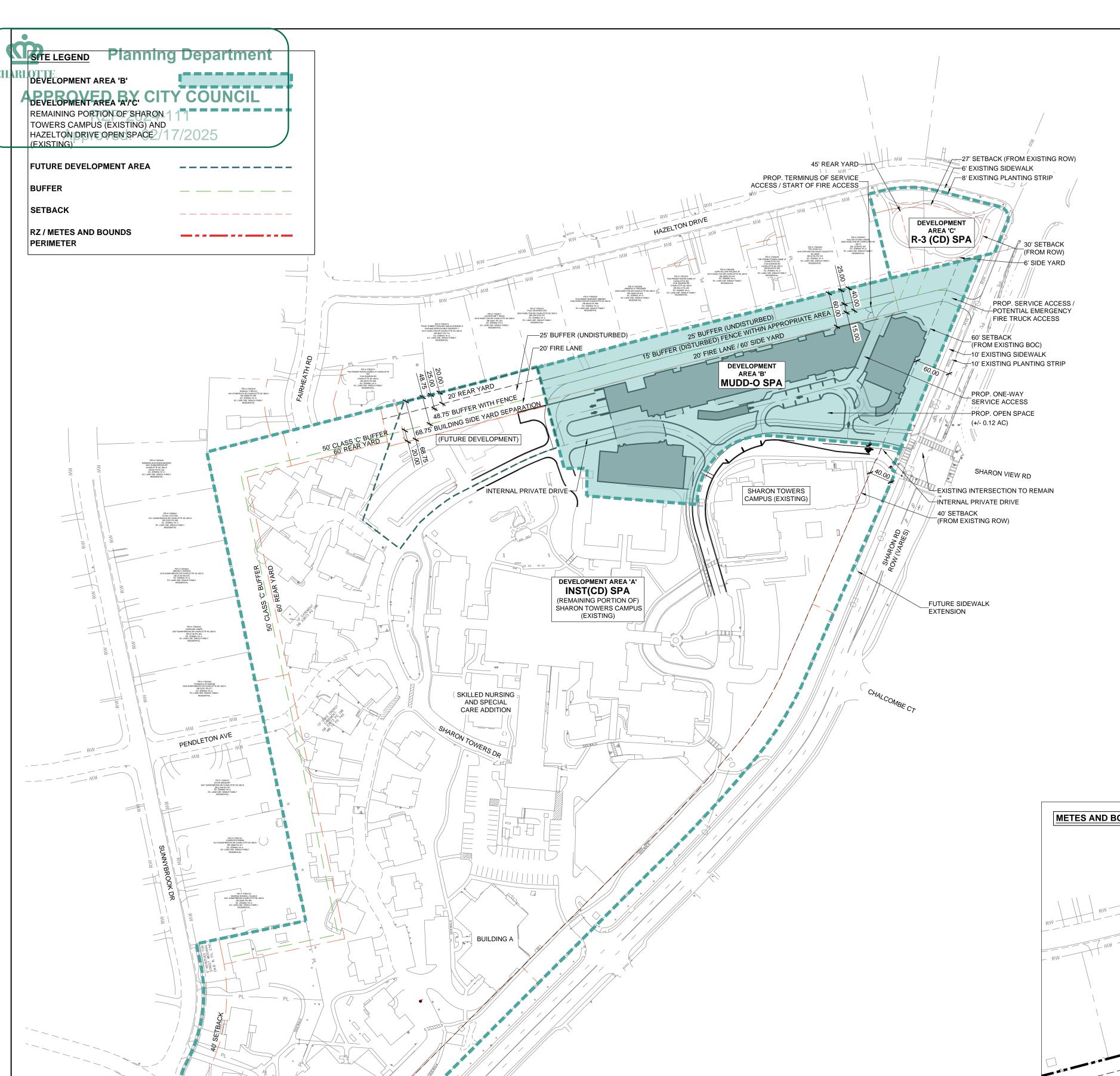
REZONING

CHARLOTTE, NC #2024-111

REVISION / ISSUANCE DESCRIPTION INITIAL REZONING PER STAFF COMMENTS 02/10/25 COMMENTS

CONTEXT CAMPUS PLAN

ORIGINAL SHEET SIZE: 24" X 36"



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SITE DEVELOPMENT DATA

--ACREAGE: ± 27.27 ACRES

--TAX PARCEL #: 179-051-04, 179-051-05, 179-051-06, 179-051-07, 179-051-09, 179-032-01, 179-032-02, 179-032-45, 179-032-47, AND 179-032-48.

--EXISTING ZONING: INST(CD), MUDD-O, AND R-3(CD)

--PROPOSED ZONING: INST(CD) SPA, MUDD-O SPA, MUDD-O, AND R-3(CD) SPA

WITH FIVE (5) YEAR VESTED RIGHTS.
--EXISTING USES: INSTITUTIONAL PRINCIPALLY FOR SENIOR HOUSING AND ASSOCIATED SENIOR CARE FACILITIES & OPEN SPACE

--PROPOSED USES: USES ALLOWED IN INSTITUTIONAL DISTRICT FOR DEVELOPMENT AREA A AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3; USES ALLOWED IN THE MUDD-O DISTRICT FOR DEVELOPMENT AREA B AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3 BELOW; AND USES ALLOWED IN THE R-3 DISTRICT FOR DEVELOPMENT AREA C AS MORE SPECIFICALLY

DESCRIBED AND RESTRICTED BELOW IN SECTION 3 WHICH WORDING SHALL CONTROL.

--MAXIMUM DEVELOPMENT LEVELS: IN ACCORDANCE WITH THE TRANSFER/CONVERSION RIGHTS AND THE OTHER PROVISIONS OF SECTION 3 BELOW:

DEVELOPMENT AREA A (INST(CD) SPA) MAY BE DEVELOPED WITH UP TO 65 AGE RESTRICTED RESIDENTIAL DWELLING UNITS AS PERMITTED

WITHIN THE INST(CD) PORTION OF REZONING PETITION 2018-027 AND UP TO 336 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED

NURSING UNITS AND 40 ASSISTED LIVING UNITS AS PERMITTED UNDER REZONING PETITION 2013-071; **DEVELOPMENT AREA B (MUDD-O & MUDD-O SPA)** MAY BE DEVELOPED WITH UP TO 65 AGE RESTRICTED RESIDENTIAL UNITS AND UP TO 60,000 SQUARE FEET OF NON-RESIDENTIAL USES AS PERMITTED WITHIN THE MUDD-O PORTION OF REZONING PETITION 2018-027 AND AS MORE PARTICULARLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3;

DEVELOPMENT AREA C (R-3-CD SPA) MAY BE DEVELOPED AS AN OPEN SPACE AMENITY AREA.

ALL TOGETHER WITH ACCESSORY USES (INCLUDING WITHOUT LIMITATION GREENHOUSE USE) AS PERMITTED IN THE INSTITUTIONAL, MUDD AND R-3 DISTRICTS, AS APPLICABLE (AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 3, WHICH WORDING SHALL CONTROL).

NOTE DEVELOPMENT LEVEL HISTORY:

REZONING PETITION 2013-071 ENTITLEMENTS - 336 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED NURSING UNITS, AND 40

REZONING PETITION 2018-027 ENTITLEMENTS - 466 AGE RESTRICTED RESIDENTIAL DWELLING UNITS (130-UNIT INCREASE), 96 SKILLED NURSING UNITS, AND 40 ASSISTED LIVING UNITS. 60,000 SQUARE FEET OF NON-RESIDENTIAL USES WERE ADDED.

· CURRENT REZONING PETITION ENTITLEMENTS - NO CHANGE FROM 2018 - 466 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED NURSING UNITS, 40 ASSISTED LIVING UNITS, AND 60,000 SQUARE FEET OF NON-RESIDENTIAL USES

--MAXIMUM BUILDING HEIGHT:

- DEVELOPMENT AREA A MAY HAVE A MAXIMUM BUILDING HEIGHT (AS MEASURED PER ORDINANCE) AS ALLOWED WITHIN THE INST ZONING DISTRICT BUT NO GREATER THAN 130 FEET ALONG WITH THE FOLLOWING RESTRICTIONS AND WITH THE RESTRICTIONS AS MORE PARTICULARLY DESCRIBED IN SECTION 10.A BELOW:

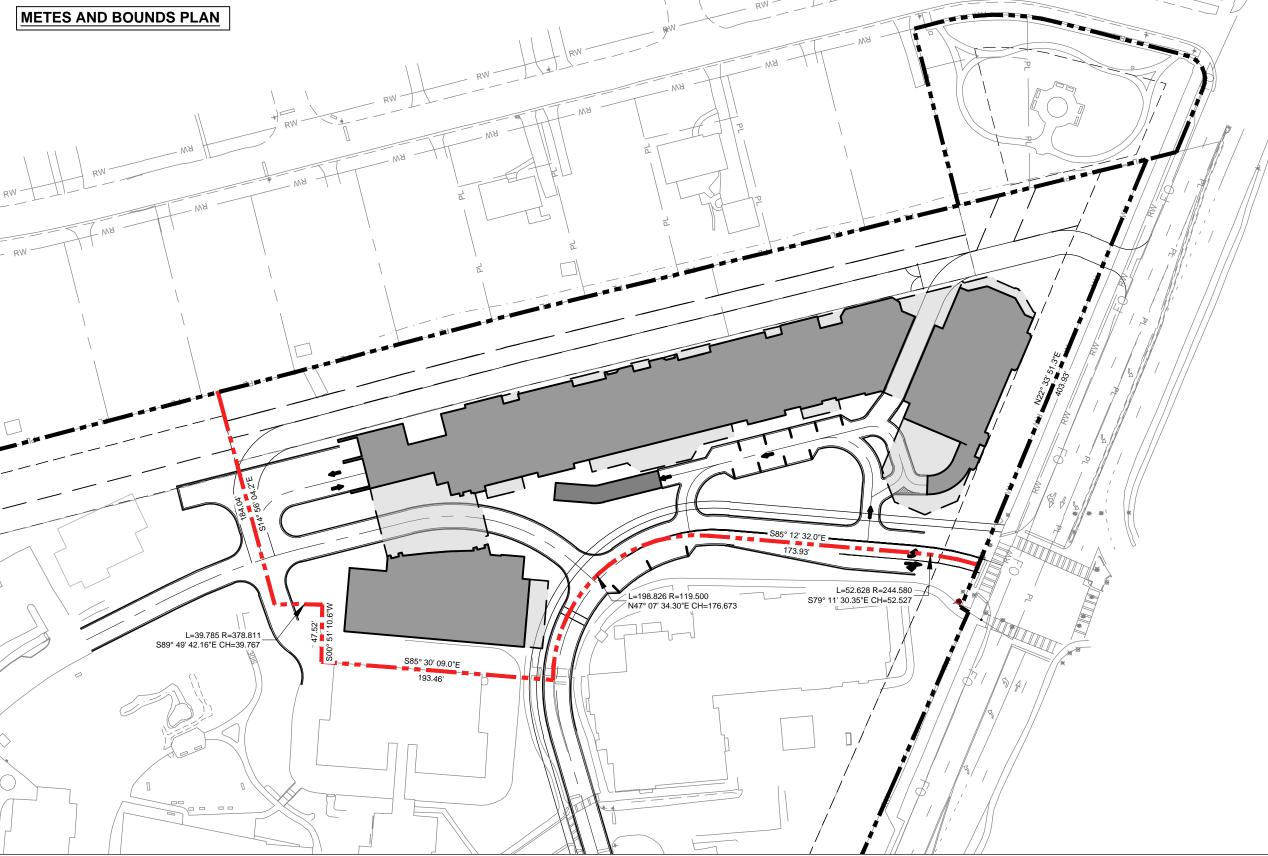
- 1. FOR BUILDINGS ALONG THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY, A MAXIMUM BUILDING HEIGHT OF 72 FEET SHALL APPLY IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 68.75-FOOT WIDE BUILDING SETBACK/SEPARATION ALONG THE HAZELTON DRIVE EXTERNAL BOUNDARY AS IDENTIFIED ON THE REZONING PLAN OR THE 60-FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE REMAINING EXTERIOR PROPERTY BOUNDARY. A MAXIMUM BUILDING HEIGHT AT SUCH BUILDING SETBACK/SEPARATION OF UP TO 60 FEET SHALL APPLY.
- 2. FOR THE BUILDINGS THAT CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS ALONG THE WESTERN EASTBURN ROAD AND SUNNYBROOK DRIVE EXTERNAL BOUNDARY, THE BUILDINGS SHALL BE LIMITED TO THREE STORIES OVER A ONE STORY STRUCTURED PARKING FACILITY.
- 3. THE MAXIMUM HEIGHT IN STORIES OF THE NURSING AND SPECIAL CARE BUILDING ADDITION SHALL BE THREE STORIES OVER A ONE STORY STRUCTURE PARKING FACILITY, AND THE MAXIMUM HEIGHT IN STORIES OF THE COMMON AREAS BUILDING ADDITION SHALL BE TWO STORIES.
- 4. A MAXIMUM BUILDING HEIGHT OF 130 FEET SHALL APPLY TO EXISTING BUILDINGS AND THE REDEVELOPMENT OF AN EXISTING BUILDING ON THE SHARON CAMPUS. SUCH BUILDINGS SHALL BE LOCATED A MINIMUM OF 300 FEET FROM THE WESTERN EASTBURN ROAD AND SUNNYBROOK DRIVE EXTERNAL BOUNDARY AND THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY. PORTIONS OF A STRUCTURE WITHIN THE FIRST 100 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 50 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 100 AND 200 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 65 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 200 AND 300 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 75 FEET.

- DEVELOPMENT AREA B MAY HAVE A MAXIMUM BUILDING HEIGHT (AS MEASURED PER ORDINANCE BASED ON AVERAGE GRADE) OF UP TO 83 FEET AS MORE PARTICULARLY DESCRIBED IN SECTION 10.B BELOW. MAXIMUM HEIGHTS ARE LOCATED IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 60 FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE COMMON BOUNDARY WITH HAZELTON DRIVE. A MAXIMUM BUILDING HEIGHT AT SUCH 60 FOOT WIDE BUILDING SETBACK/SEPARATION OF UP TO 60 FEET BASED ON AVERAGE GRADE SHALL APPLY.

- **DEVELOPMENT AREA C**. NO PRINCIPAL BUILDINGS ARE ALLOWED IN DEVELOPMENT AREA C. ANY STRUCTURES WITHIN THE OPEN SPACE AMENITY AREA SHALL COMPLY WITH THE R-3 HEIGHT REGULATIONS.

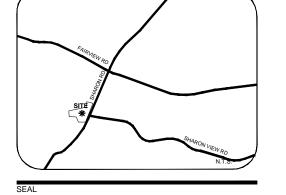
- GENERAL HEIGHT NOTE. HEIGHT TO BE MEASURED AS DESCRIBED IN THE ORDINANCE AND SHALL NOT INCLUDE ARCHITECTURAL ACCENT FEATURES SUCH AS THE PROPOSED CLOCK TOWER AND CHIMNEY FEATURES, IT BEING UNDERSTOOD THAT (I) THE CHIMNEY FEATURES AND OTHER ARCHITECTURAL ACCENT FEATURES MAY BE UP TO 10 FEET HIGHER THAN THE MAXIMUM HEIGHT OF THE BUILDING TO WHICH SUCH FEATURES ARE ATTACHED BUT EXCLUDING OCCUPIABLE SPACE WHICH SHALL BE SUBJECT TO THE ABOVE REFERENCED BUILDING HEIGHT LIMITATIONS AND (II) THE CLOCK TOWER FEATURE MAY EXCEED THE TEN (10) FEET HEIGHT LIMIT REFERENCED IN ITEM (I).

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O AND INSTITUTIONAL ZONING CLASSIFICATIONS.





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THE SHARON

REZONING

#2024-111

NORTH

ERT: N/A

DRZ: 1" = 100'

50 100

TECHNICAL DATA

BER





F	REVISION / ISSUA	NCE
Ο.	DESCRIPTION	DATE
0	INITIAL REZONING SUBMITTAL	09/11/24
1	PER STAFF COMMENTS	11/11/24
2	PER STAFF COMMENTS	01/23/25
3	PER STAFF COMMENTS	02/10/25
LE	NC	ORTH
	TT: N/A RZ: 1" = 50'	

CONCEPTUAL SITE PLAN

CHARLOTTE

SITE DEVELOPMENT DATA:

ARRED BY CITY COUNCIL

-TAX PARCEL #: 179-051-04, 179-051-05, 179-051-06, 179-051-07, 179-051-09, 179-032-01, 179-032-02, 179-032-45, 179-032-47, AND 179-032-48.

--EXISTING ZONING: INST(CD), MUDD-O, AND R-3(CD) -PROPOSED ZONING: INST(CD) SPA, MUDD-O SPA, MUDD-O, AND R-3(CD) S**P**A

-EXISTING USES: INSTITUTIONAL PRINCIPALLY FOR SENIOR HOUSING AND ASSOCIATED SENIOR CARE FACILITIES &

-PROPOSED USES: USES ALLOWED IN INSTITUTIONAL DISTRICT FOR DEVELOPMENT AREA A AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3; USES ALLOWED IN THE MUDD-O DISTRICT FOR DEVELOPMENT AREA B AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3 BELOW: AND USES ALLOWED IN THE R-3 DISTRICT FOR DEVELOPMENT AREA C AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3 WHICH WORDING SHALL CONTROL.

-MAXIMUM DEVELOPMENT LEVELS: IN ACCORDANCE WITH THE TRANSFER/CONVERSION RIGHTS AND THE OTHER PROVISIONS OF SECTION 3 BELOW:

DEVELOPMENT AREA A (INST(CD) SPA) MAY BE DEVELOPED WITH UP TO 65 AGE RESTRICTED RESIDENTIAL DWELLING UNITS AS PERMITTED WITHIN THE INST(CD) PORTION OF REZONING PETITION 2018-027 AND UP TO 336 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED NURSING UNITS AND 40 ASSISTED LIVING UNITS AS PERMITTED UNDER REZONING PETITION 2013-071;

DEVELOPMENT AREA B (MUDD-O & MUDD-O SPA) MAY BE DEVELOPED WITH UP TO 65 AGE RESTRICTED RESIDENTIAL UNITS AND UP TO 60,000 SQUARE FEET OF NON-RESIDENTIAL USES AS PERMITTED WITHIN THE MUDD-O PORTION OF REZONING PETITION 2018-027 AND AS MORE PARTICULARLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3;

DEVELOPMENT AREA C (R-3-CD SPA) MAY BE DEVELOPED AS AN OPEN SPACE AMENITY AREA.

ALL TOGETHER WITH ACCESSORY USES (INCLUDING WITHOUT LIMITATION GREENHOUSE USE) AS PERMITTED IN THE INSTITUTIONAL, MUDD AND R-3 DISTRICTS, AS APPLICABLE (AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 3, WHICH WORDING SHALL CONTROL).

NOTE DEVELOPMENT LEVEL HISTORY:

REZONING PETITION 2013-071 ENTITLEMENTS - 336 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED NURSING UNITS, AND 40 ASSISTED LIVING UNITS.

REZONING PETITION 2018-027 ENTITLEMENTS (INCLUDING THE 2013-017 ENTITLEMENTS) - 466 AGE RESTRICTED RESIDENTIAL DWELLING UNITS (130-UNIT INCREASE), 96 SKILLED NURSING UNITS, AND 40 ASSISTED LIVING UNITS. 60,000 SQUARE FEET OF NON-RESIDENTIAL USES WERE ADDED. CURRENT REZONING PETITION ENTITLEMENTS - NO CHANGE FROM 2018 - 466 AGE RESTRICTED RESIDENTIAL DWELLING UNITS, 96 SKILLED NURSING UNITS, 40 ASSISTED LIVING UNITS, AND 60,000 SQUARE FEET OF NON-RESIDENTIAL USES

-MAXIMUM BUILDING HEIGHT:

-DEVELOPMENT AREA A MAY HAVE A MAXIMUM BUILDING HEIGHT (AS MEASURED PER ORDINANCE) AS ALLOWED WITHIN THE INST ZONING DISTRICT BUT NO GREATER THAN 130 FEET ALONG WITH THE FOLLOWING RESTRICTIONS AND WITH THE RESTRICTIONS AS MORE PARTICULARLY DESCRIBED IN SECTION 10.A BELOW:

- 1. FOR BUILDINGS ALONG THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY, A MAXIMUM BUILDING HEIGHT OF 72 FEET SHALL APPLY IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 68.75-FOOT WIDE BUILDING SETBACK/SEPARATION ALONG THE HAZELTON DRIVE EXTERNAL BOUNDARY AS IDENTIFIED ON THE REZONING PLAN OR THE 60-FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE REMAINING EXTERIOR PROPERTY BOUNDARY. A MAXIMUM BUILDING HEIGHT AT SUCH BUILDING SETBACK/SEPARATION OF UP TO 60 FEET SHALL APPLY.
- 2. FOR THE BUILDINGS THAT CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS ALONG THE WESTERN EASTBURN ROAD AND SUNNYBROOK DRIVE EXTERNAL BOUNDARY, THE BUILDINGS SHALL BE LIMITED TO THREE STORIES OVER A ONE STORY STRUCTURED PARKING FACILITY.
- 3. THE MAXIMUM HEIGHT IN STORIES OF THE NURSING AND SPECIAL CARE BUILDING ADDITION SHALL BE THREE STORIES OVER A ONE STORY STRUCTURE PARKING FACILITY, AND THE MAXIMUM HEIGHT IN STORIES OF THE COMMON AREAS BUILDING ADDITION SHALL BE TWO STORIES
- 4. A MAXIMUM BUILDING HEIGHT OF 130 FEET SHALL APPLY TO EXISTING BUILDINGS AND THE REDEVELOPMENT OF AN EXISTING BUILDING ON THE SHARON CAMPUS. SUCH BUILDINGS SHALL BE LOCATED A MINIMUM OF 300 FEET FROM THE WESTERN EASTBURN ROAD AND SUNNYBROOK DRIVE EXTERNAL BOUNDARY AND THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY. PORTIONS OF A STRUCTURE WITHIN THE FIRST 100 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 50 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 100 AND 200 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 65 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 200 AND 300 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 75 FEET.

-DEVELOPMENT AREA B MAY HAVE A MAXIMUM BUILDING HEIGHT (AS MEASURED PER ORDINANCE BASED ON AVERAGE GRADE) OF UP TO 83 FEET AS MORE PARTICULARLY DESCRIBED IN SECTION 10.B BELOW. MAXIMUM HEIGHTS ARE LOCATED IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 60 FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE COMMON BOUNDARY WITH HAZELTON DRIVE. A MAXIMUM BUILDING HEIGHT AT SUCH 60 FOOT WIDE BUILDING SETBACK/SEPARATION OF UP TO 60 FEET BASED ON AVERAGE GRADE SHALL APPLY.

- DEVELOPMENT AREA C. NO PRINCIPAL BUILDINGS ARE ALLOWED IN DEVELOPMENT AREA C. ANY STRUCTURES WITHIN THE OPEN SPACE AMENITY AREA SHALL COMPLY WITH THE R-3 HEIGHT REGULATIONS. -GENERAL HEIGHT NOTE. HEIGHT TO BE MEASURED AS DESCRIBED IN THE ORDINANCE AND SHALL NOT INCLUDE ARCHITECTURAL ACCENT FEATURES SUCH AS THE PROPOSED CLOCK TOWER AND CHIMNEY FEATURES. IT BEING UNDERSTOOD THAT (I) THE CHIMNEY FEATURES AND OTHER ARCHITECTURAL ACCENT FEATURES MAY BE UP TO 10 FEET HIGHER THAN THE MAXIMUM HEIGHT OF THE BUILDING TO WHICH SUCH FEATURES ARE ATTACHED BUT EXCLUDING OCCUPIABLE SPACE WHICH SHALL BE SUBJECT TO THE ABOVE REFERENCED BUILDING HEIGHT LIMITATIONS AND (II) THE CLOCK TOWER FEATURE MAY EXCEED THE TEN (10) FEET HEIGHT LIMIT REFERENCED IN ITEM (I).

-PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O AND INSTITUTIONAL ZONING CLASSIFICATIONS.

IS UNDERSTOOD, THIS REZONING IS NOT SEEKING AN INCREASE IN DEVELOPMENT LEVELS.

- a. PURPOSE OF REZONING. THE PURPOSE OF THIS REZONING IS TECHNICAL IN NATURE AND IS INTENDED TO PERMIT AN INCREASE OF BUILDING MASSING AND A MINOR HEIGHT INCREASE IN DEVELOPMENT AREA B AS DEFINED BELOW. THIS SITE PLAN AMENDMENT UNIFIES REZONING PETITION 2013-071 AND REZONING PETITION 2018-027 UNDER REZONING PETITION 2024-111 WHICH SHALL BE GOVERNED BY THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE UNIFIED DEVELOPMENT ORDINANCE ADOPTED IN 2023 SHALL NOT APPLY. IT
- b. SITE LOCATION & DEVELOPMENT AREAS. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS, FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY THE SHARON -THE PRESBYTERIAN HOME AT CHARLOTTE, NC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN AGE RESTRICTED RESIDENTIAL COMMUNITY WITH SUPPORTING ACTIVE INDOOR RECREATION AND LIMITED COMMERCIAL USES ON AN APPROXIMATELY 27.27 ACRE SITE LOCATED AT ALONG SHARON ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN (THE "SITE"), SUCH DEVELOPMENT TO FORM A PART OF THE OVERALL EXISTING THE SHARON CAMPUS AS DESCRIBED IN SECTION 3 BELOW.

FOR EASE OF REFERENCE, THE REZONING PLAN SETS FORTH THREE (3) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON SHEET RZ-2 AS DEVELOPMENT AREAS A, B, AND C (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS").

2. 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") IN EFFECT IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THE UNIFIED DEVELOPMENT ORDINANCE AS PERMITTED DUE TO THE LIMITED NATURE OF THE SITE PLAN AMENDMENT REQUEST WHICH SEEKS TO MAKE MINOR MODIFICATIONS TO MAXIMUM BUILDING HEIGHTS AND ADJUST MASSING APPROVED UNDER REZONING PETITION 2018-027 IN A MORE UNIFIED APPROACH WITH REZONING PETITION 2013-071. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, (I) THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR: (I) THE INSTITUTIONAL ZONING DISTRICT SHALL GOVERN DEVELOPMENT TAKING PLACE WITHIN DEVELOPMENT AREA A, (II) THE MUDD-O ZONING DISTRICT SHALL GOVERN DEVELOPMENT TAKING PLACE WITHIN DEVELOPMENT AREA B, SUBJECT TO AND IN ACCORDANCE WITH THE OPTIONAL PROVISIONS BELOW, AND (III) THE R-3 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE WITHIN DEVELOPMENT AREA C. IT IS ACKNOWLEDGED FOR INFORMATION ONLY PURPOSES THAT THE PRIMARY REASON THAT DEVELOPMENT AREAS B IS BEING REZONED TO THE MUDD-O ZONING CLASSIFICATION IS TO PROVIDE FLEXIBILITY IN THE MANNER IN WHICH SEVERAL USES WILL BE UNDERTAKEN IN THESE DEVELOPMENT AREAS SUCH AS ALLOWANCE OF TYPE 2 EDEE (EATING, DRINKING, ENTERTAINMENT ESTABLISHMENTS) USES PERMITTING SERVING OF ALCOHOLIC BEVERAGES, DIRECT ACCESS TO RETAIL/EDEE/PERSONAL SERVICES USES, DISPLAY OF RETAIL MERCHANDISE, AND BUILDING SETBACKS, IT BEING UNDERSTOOD THAT INST. DISTRICT HAS CERTAIN LIMITATIONS ON SUCH USES. IT IS UNDERSTOOD, THE UNIFIED DEVELOPMENT ORDINANCE SHALL NOT APPLY.

THIS REZONING PLAN REPLACES AND SUPERSEDES THE EXISTING CONDITIONAL ZONING PLAN AND ZONING FOR THE SITE. IT IS ACKNOWLEDGED THAT PETITIONER'S COMMITMENTS AS TO SECTION 11.B. BELOW REGARDING THE PROVISION IN THE AGGREGATE OF TREE SAVE ON THE ENTIRE THE SHARON CAMPUS (AS DEFINED IN SECTION 1.F. BELOW) SHALL BE GOVERNED BY THIS REZONING PLAN.

d. GRAPHICS AND ALTERATIONS/MODIFICATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREAS (AS DEFINED BELOW) 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 NOR DEEMED BY PLANNING STAFF AS SO MINOR AS NOT TO REQUIRE AN ADMINISTRATIVE AMENDMENT, 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 DOCUMENTATION 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 AS INDICATED ABOVE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS THAT DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN SUCH AS MINOR MODIFICATIONS TO THE DEVELOPMENT AREAS (AS DEFINED BELOW) OR THE DEVELOPMENT/SITE ELEMENTS, MAY BE ALLOWED BY THE PLANNING STAFF/PLANNING DIRECTOR, IN THEIR DISCRETION, WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN OTHER INSTANCES MODIFICATIONS SHALL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207.

- e. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED IN DEVELOPMENT AREA A SHALL BE PERMITTED WITHOUT LIMITATION, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPMENT IN DEVELOPMENT AREA B SHALL NOT EXCEED ONE. THE ONE BUILDING IN DEVELOPMENT AREA B MAY BE PHASED WHERE ADDITIONS TO THE BUILDING MAY BE CONSTRUCTED OVER MULTIPLE YEARS. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING. AND THE NUMBER OF ACCESSORY BUILDINGS (NOT INCLUDING NON-BUILDING STRUCTURES) ON THE SITE AND ANY SUCH ACCESSORY BUILDINGS SHALL NOT EXCEED A HEIGHT OF 25 FEET.
- PLANNED/UNIFIED DEVELOPMENT. THE SITE, WHICH INCLUDES THE ENTIRETY OF THE SHARON CAMPUS AS GENERALLY DEPICTED ON SHEET RZ-1, SHALL BE VIEWED IN THE AGGREGATE AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE 2018-027 REZONING PLAN AND ELEMENTS AND THE 2013-071 REZONING PLAN. AS SUCH, TREE SAVE, SETBACKS, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, FAR REQUIREMENTS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER DEVELOPMENT/SITE ELEMENTS LOCATED ON THE SITE. THE PETITIONER AND/OR OWNER(S) OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE THE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER, ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND ALL FAR REQUIREMENTS WILL BE REGULATED BY ANY DEVELOPMENT LIMITATIONS SET FORTH IN SECTION 3 BELOW AS TO THE SITE, TAKEN AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.
- g. FIVE YEAR VESTED RIGHTS. PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. SECTION 160D, DUE TO THE 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.
- 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), ENCLOSED LOADING DOCK/SERVICE AREAS, BALCONIES, GROUND/STREET LEVEL OUTDOOR DINING AREAS AND EXTERIOR SPECIAL EVENT DINING IN ABOVE GROUND AREAS, AND ALL GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL.
- 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 MERCHANDISED 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, SPA'S, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LIMITED SCALE MEDICAL SERVICES SUCH AS DENTAL SERVICES, AND THE LIKE.
- . DEFINITION OF HAZELTON RESIDENTIAL EDGE. FOR THE PURPOSES OF THE REZONING PLAN, REFERENCES TO THE TERM "HAZELTON RESIDENTIAL EDGE" SHALL MEAN THAT PORTION OF THE SITE LOCATED ADJACENT TO THE SINGLE-FAMILY HOMES FRONTING HAZELTON DRIVE AND THE TWO (2) HOMES ALONG SUCH EDGE THAT FRONT FAIRHEATH ROAD.
- MUDD OPTIONAL PROVISIONS (DEVELOPMENT AREA B). THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE PORTION OF THE SITE ZONED MUDD-O, NAMELY
- DEVELOPMENT AREA B:
- a. INTERNAL DRIVEWAY. TO THE EXTENT AN OPTIONAL PROVISION IS NEEDED FOR CLARITY, INTERNAL STREETS AND DRIVEWAYS SHALL BE TREATED AS PRIVATE DRIVEWAYS FOR ALL PURPOSES OF THE REZONING PLAN, AND AS SUCH PARKING SHALL BE ALLOWED BETWEEN SUCH DRIVEWAYS AND BUILDINGS LOCATED WITHIN THE MUDD-O ZONED DEVELOPMENT AREA B (NO SUCH PROVISION IS NEEDED FOR THE OTHER DEVELOPMENT AREAS).
- b. INTERIM SURFACE PARKING; PHASING CONDITIONS. TO ALLOW DURING THE CONSTRUCTION STAGING AND SUBSEQUENT PHASING OF DEVELOPMENT ON THE SITE, SURFACE PARKING IN LIEU OF PARKING DECKS ON PORTIONS OF THE SITE ON AN INTERIM BASIS MAY BE ALLOWED WITHOUT REGARD TO LOCATIONS BETWEEN BUILDINGS AND STREETS/DRIVEWAYS, PROVIDED THAT SUCH SURFACE PARKING AREAS BEYOND THE CONSTRUCTION STAGING PERIOD WILL MEET ALL REQUIRED MINIMUM SETBACKS, STREETSCAPE AND SCREENING REQUIREMENTS. DRIVEWAYS DURING PHASES OF THE DEVELOPMENT MAY VARY IN LOCATION FROM THOSE GENERALLY DEPICTED ON THE REZONING PLAN. BUT NO INGRESS OR EGRESS FROM THE REZONING SITE SHALL BE MADE ONTO ROADS WITHIN LAURELWOOD OR FAIRMEADOWS NEIGHBORHOOD STREETS EXCEPT BY WAY OF DEVELOPMENT AREA C ONTO HAZELTON DRIVE FOR THE PERMITTED LISES DESCRIBED HEREIN FOR DEVELOPMENT AREA C AND CONSTRUCTION RELATED TO DEVELOPMENT AREA C; AND THE PROPOSED FIRE LANE AND ASSOCIATED CURB CUT ALONG SHARON ROAD MAY BE USED FOR CONSTRUCTION ACCESS DURING THE DEVELOPMENT PHASES. SUBJECT TO APPROVAL OF CDOT AND THE CHARLOTTE FIRE DEPARTMENT.
- DETACHED SIGNS. TO ALLOW ONE DETACHED, GROUND MOUNTED SIGN IN DEVELOPMENT AREA B UP TO 6 FEET IN HEIGHT AND CONTAINING UP TO 60 SQUARE FEET OF SIGN AREA ON SHARON ROAD. THIS SIGN MAY BE USED TO IDENTIFY ANY OF THE PERMITTED USES LOCATED ON THE SITE. IN ADDITION TO THE FOREGOING AND IN ADDITION TO OTHER SIGNS PERMITTED IN THIS SECTION 2 AND OTHERWISE IN THE REZONING PLAN, THIS OPTIONAL PROVISION SHALL ALLOW ONE (1) ADDITIONAL DETACHED, GROUND MOUNTED SIGN ALONG SHARON ROAD; THIS ADDITIONAL DETACHED SIGN MAY BE UP TO FOUR (4) FEET HIGH AND CONTAIN UP TO 32 SQUARE FEET OF SIGN AREA.
- d. TEMPORARY SIGNS. IN ADDITION TO OTHER SIGNS PERMITTED IN THIS SECTION 2 AND OTHERWISE IN THE REZONING PLAN, TO ALLOW TEMPORARY SIGNS AND/OR BANNERS ALONG SHARON ROAD (BUT NOT ALONG THE EDGE OF BUILDINGS THAT FACE DIRECTLY TOWARD THE HAZELTON RESIDENTIAL EDGE) WITH UP TO 64 SQUARE FEET OF SIGN FACE AREA AND WITH A MAXIMUM HEIGHT OF SEVEN (7) FEET. A TOTAL OF TWO (2) TEMPORARY PLANNED DEVELOPMENT SIGNS MAY BE ERECTED ALONG THE SITE'S FRONTAGE ON SHARON ROAD (AN INCREASE OF TWO (2) FEET ABOVE THE ORDINANCE REQUIREMENTS).
- SIGNS IN THE MUDD DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR

- e. RECESSED DOORS. NOT TO REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF BUILDINGS WHEN THE ABUTTING SIDEWALK WIDTH IS GREATER THAN 10 FEET.
- F. BIKE PARKING. TO ALLOW REQUIRED LONG TERM BIKE PARKING SPACES FOR THE USES LOCATED ON THE SITE TO BE LOCATED WITHIN THE PARKING DECKS CONSTRUCTED ON THE SITE.
- g. ENCROACHMENTS INTO SETBACK/SIDE YARD SEPARATION. TO ALLOW BALCONIES LOCATED ABOVE THE FIRST FLOOR OF THE BUILDINGS ALONG SHARON ROAD TO ENCROACH UP TO FOUR (4) FEET INTO THE SETBACK, AND OUTDOOR DINING CANOPIES AND AWNINGS ON THE BUILDING ALONG SHARON ROAD TO ENCROACH UP TO TEN (10) FEET INTO THE SETBACK, SUBJECT, HOWEVER, IN EACH CASE AND AS APPLICABLE, TO CDOT. IN ADDITION, THE OPTIONAL PROVISIONS (I) SHALL ALLOW BALCONIES LOCATED WITHIN DEVELOPMENT AREA B THAT FRONT TOWARD DEVELOPMENT AREA C (BUT NOT TOWARD THE REST OF THE HAZELTON RESIDENTIAL EDGE) TO ENCROACH UP TO FOUR (4) FEET INTO THE BUILDING SIDE YARD/SEPARATION (SUBJECT TO COMPLIANCE WITH FIRE LANE CLEARANCE REGULATIONS AND NOT RESULTING IN MOVEMENT OF THE FIRE LANE CLOSER TO THE HAZELTON RESIDENTIAL EDGE), AND (II) SHALL ALLOW OUTDOOR DINING CANOPIES AND AWNINGS ON BUILDING WITHIN DEVELOPMENT AREA B THAT FRONT TOWARD DEVELOPMENT AREA C (BUT NOT TOWARD THE REST OF THE HAZELTON RESIDENTIAL EDGE) MAY ENCROACH UP TO TEN (10) FEET INTO THE BUILDING SIDE YARD/SEPARATION.
- 3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS, TRANSFER & CONVERSION RIGHTS
- a.UP TO 466 AGE RESTRICTED RESIDENTIAL DWELLING UNITS WHICH SHALL INCLUDE APARTMENT STYLE INDEPENDENT LIVING UNITS AND SINGLE-FAMILY COTTAGE STYLE INDEPENDENT LIVING UNITS, 96 SKILLED NURSING UNITS AND 40 ASSISTED LIVING UNITS AND ASSOCIATED SENIOR CARE FACILITIES AND USES, WHICH MAY BE LOCATED IN ANY OF THE DEVELOPMENT AREAS A & B. IN NO INSTANCE SHALL MORE THAN 88 OF THE AGE RESTRICTED RESIDENTIAL DWELLING UNITS BE DEVELOPED IN DEVELOPMENT AREA B OR IN THE HAZELTON AND FAIRHEATH EDGE OF DEVELOPMENT AREA A.
- b. UP TO 60,000 SQUARE FEET OF NONRESIDENTIAL USES IN DEVELOPMENT AREA B SUBJECT TO THE FOLLOWING: i. INDOOR RECREATION USES FOR RESIDENTS OF THE SHARON CAMPUS AND/OR ON A MEMBERSHIP BASIS WITH MEMBERS AGE 50 AND OLDER; AND THEIR PERMITTED GUESTS;
- ii. UP TO 7,100 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE USES (NOT INCLUDING SUCH USES THAT ARE ACCESSORY IN NATURE) iii.UP TO 14,900 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, RESTAURANT (BEING DEFINED AS TYPE 1 AND
- DEVELOPMENT AREAS B: AND C. DEVELOPMENT AREA C IS LIMITED TO AN OPEN SPACE AMENITY AREA. SUCH OPEN SPACE AREA SHALL BE GRADED AND PLANTED WITH GRASS, SHALL INCLUDE LANDSCAPING AND MAY INCLUDE ACCESSORY USES AND STRUCTURES SUCH AS: BENCHES AND SEATING AREAS, WALK PATHS, PEDESTRIAN SCALE LIGHTING, HARDSCAPE

TYPE 2 EDEE USES), PERSONAL SERVICES, AND OTHER NON-OFFICE COMMERCIAL USES TO BE LOCATED IN

USES PERMITTED IN SECTION 3.A-C ABOVE, TOGETHER WITH SECONDARY AND ACCESSORY USES (INCLUDING, WITHOUT LIMITATION, GREENHOUSE USES) PERMITTED IN THE MUDD-O ZONING DISTRICT AS TO DEVELOPMENT AREAS B, THE INSTITUTIONAL ZONING DISTRICT AS TO DEVELOPMENT AREAS A, AND THE R-3 ZONING DISTRICT AS TO DEVELOPMENT AREA C. IN ADDITION, A GREENHOUSE FACILITY MAY BE LOCATED WITHIN DEVELOPMENT AREA B BUT SHALL BE OPERATED AS A SECONDARY USE OR ACCESSORY USE TO OTHER PRINCIPAL USES ON THE SITE (IT BEING UNDERSTOOD THAT NO SALES TO THE GENERAL PUBLIC WILL OCCUR IN THE GREENHOUSE FACILITY).

AND AS SUCH SHALL BE EXCLUDED FROM THE CALCULATION OF THE ABOVE LISTED DEVELOPMENT LIMITATIONS. THE DEVELOPMENT LIMITATIONS REFERENCED IN THIS SECTION 3 DO NOT REFLECT COMMON AREAS/TRANSITIONAL AREA SPACES, ACCESSORY USES RELATED TO PRINCIPAL USES LISTED ABOVE NOR OTHER ACCESSORY USES SUCH AS THE GREENHOUSE USES.

THE ABOVE REFERENCED OFFICE, RETAIL/EDEE AND PERSONAL SERVICES USES SHALL NOT TAKE PLACE IN A SINGLE SEPARATE BUILDING THAT IS DESIGNED TO ONLY ACCOMMODATE ONE OF SUCH USES.

FURTHERMORE, TO PROMOTE A VERTICAL MIXTURE OF USES WITHIN DEVELOPMENT AREAS B, THE BUILDING WITHIN DEVELOPMENT AREA B SHALL BE BUILT TO CONTAIN A MINIMUM OF 64 RESIDENTIAL DWELLING UNITS.

SEE TABLE 1 BELOW FOR DEVELOPMENT AREAS SUMMARY (TEXT OF THIS SECTION SHALL CONTROL IN EVENT OF A CONFLICT) d. NOTWITHSTANDING THE PROVISIONS OF SECTION 3.B ABOVE, RETAIL, EDEE, PERSONAL SERVICES AND OTHER

- NON-OFFICE COMMERCIAL USES MAY BE REDUCED AND CONVERTED INTO OFFICE USES AT A RATE OF ONE (1) SQUARE FOOT OF GROSS FLOOR OF SUCH USES SO CONVERTED TO ONE SQUARE-FOOT OF OFFICE USES UP TO A TOTAL OF 2,000 SQUARE FEET OF OFFICE USES SO CREATED BY SUCH CONVERSION FOR UP TO A TOTAL OF 9,100 SQUARE OF GROSS FLOOR AREA OF OFFICES USES ALLOWED UPON SUCH CONVERSION.
- e. THE FOLLOWING USES ARE EXPRESSLY PROHIBITED ON THE SITE:
- NO DRIVE-THROUGH USES, WHICH INCLUDES A PROHIBITION ON THE FOLLOWING: FAST FOOD RESTAURANTS WITH DRIVE-THROUGH WINDOW FACILITIES, DRUG STORES WITH DRIVE-THROUGH WINDOW FACILITIES, AND BANKS WITH DRIVE-THROUGH FACILITIES;
- NO CONVENIENCE STORE/GAS STATION USES; NO STAND-ALONE RETAIL/EDEE USES IN A BUILDING AS THE SOLE PRINCIPAL USES OF SUCH BUILDING; (iv) NO DRUGSTORES WITH DRIVE-THROUGH WINDOWS NOR DRUGSTORES WITHOUT DRIVE-THROUGH
- WINDOWS OF GREATER THAN 8,000 SQUARE FEET OF GROSS FLOOR AREA; (v) NO RETAIL STORES THAT SELL TOBACCO, E-CIGARETTES OR SIMILAR PRODUCTS, EXCEPT AS A MINOR ANCILLARY PART OF THEIR BUSINESS (E.G. DRUG STORE UNDER 8,000 SF THAT ALSO SELLS TOBACCO
- PRODUCTS); (vi) NO RETAIL STORES THAT OFFER RETAIL SALE OF ALCOHOL, EXCEPT AS A MINOR ANCILLARY PART OF
- THEIR BUSINESS (E.G. A DRUG STORE UNDER 8,000 SF THAT ALSO SELLS WINE AND BEER); (vii) NO "HOOKAH LOUNGES, VAPE STORES, TATTOO PARLORS, OR SIMILAR FACILITIES;
- (viii) NO SWEEPSTAKES PARLORS;
- (ix) NO CHECK CASHING OR PAYDAY LENDER TYPE OF OPERATIONS;
- NO GAMBLING/GAMING ESTABLISHMENTS (xi) NO GAS STATIONS OR AUTOMOTIVE SERVICE/REPAIR USES;
- (xii) NO DATA OR TELECOMMUNICATIONS FACILITIES BUT THIS SHALL NOT PREVENT INSTALLATION AND USE OF
- DATA OR TELECOMMUNICATIONS FOR USE BY OWNER OR TENANTS AS AN ANCILLARY USE; (xiii) NO MAILBOX STORAGE USES EXCEPT FOR THOSE SERVING RESIDENTS OF THE SHARON CAMPUS:
- (xiv) NO DAY LABOR EMPLOYMENT SUPPORT SERVICES OF AGENCIES;
- (xv) NO DONATION DROP-OFF FACILITIES OPERATING AS A PRINCIPAL USE; (xvi) NO ADULT CLUBS OR SIMILAR FACILITIES;
- (xvii) NO TEMPORARY EMPLOYMENT SERVICES USES AS A PRINCIPAL USE;
- (xviii) NO FUNERAL SERVICES AS A PRINCIPAL USE;
- (xix) NO STORAGE FACILITIES AS A PRINCIPAL USE; AND
- (xx) NO COMMERCIAL LAUNDRY USES.

A NEW DETACHED HOME FROM TIME TO TIME.

f. THE HEIGHT OF PRINCIPAL BUILDINGS ON THE SITE SHALL BE AS DESCRIBED IN THE DEVELOPMENT DATA PORTION ABOVE UNDER "MAXIMUM BUILDING HEIGHTS".

g. ALL RETAIL, EDEE (E.G. RESTAURANT), PERSONAL SERVICES AND OTHER NON-OFFICE COMMERCIAL USES WITHIN DEVELOPMENT AREA B SHALL HAVE HOURS OF OPERATION LIMITED TO 6:00AM AND 12:00AM (MIDNIGHT). DELIVERY SERVICE TO THESE USES SHALL BE INTERNAL TO THE SITE HOWEVER, ACCESS SHALL BE PROVIDED FROM SHARON ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

THE BELOW ITEMS H-J ARE FROM PETITION 2013-071. h. PETITIONER SHALL BE REQUIRED TO MAINTAIN A DETACHED HOME ON TAX PARCEL NO. 179-051-04. PETITIONER

i. AT ALL TIMES, TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04 SHALL BE SUBJECT TO AND SHALL COMPLY WITH ALL OF THE COVENANTS AND RESTRICTIONS SET OUT IN THAT CERTAIN RESTRICTION AGREEMENT RECORDED IN BOOK 1992 AT PAGE 67 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AS IF SUCH COVENANTS AND RESTRICTIONS WERE SET FORTH HEREIN IN THEIR ENTIRETY.

SHALL BE PERMITTED TO REPLACE THE EXISTING DETACHED HOME LOCATED ON TAX PARCEL NO. 179-051-04 WITH

- THE DETACHED HOMES LOCATED ON TAX PARCEL NOS 179-051-06 179-051-05 AND 179-051-04 ARE CURRENTLY OCCUPIED BY RESIDENTS WHO ARE NOT ASSOCIATED WITH THE CONTINUING CARE RETIREMENT COMMUNITY LOCATED ON TAX PARCEL NO. 179-032-45 AND WHO ARE TENANTS OF PETITIONER. THESE DETACHED HOMES MAY CONTINUE TO BE OCCUPIED BY RESIDENTS WHO ARE NOT ASSOCIATED WITH THE CONTINUING CARE RETIREMENT COMMUNITY LOCATED ON TAX PARCEL NO. 179-032-45 AS LEGAL NONCONFORMING USES UNTIL THAT DATE THAT IS 1 YEAR AFTER THE DATE ON WHICH A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE NEW INDEPENDENT LIVING UNIT BUILDING DESIGNATED AS BUILDING B ON THE REZONING PLAN. AFTER THE EXPIRATION OF THIS 1 YEAR PERIOD, THESE DETACHED HOMES MAY ONLY BE UTILIZED AS INDEPENDENT LIVING UNITS OCCUPIED BY RESIDENTS ASSOCIATED WITH THE CONTINUING CARE RETIREMENT COMMUNITY LOCATED ON TAX PARCEL NO. 179-032-45.
- 4. TRANSPORTATION IMPROVEMENTS AND ACCESS: a. PREVIOUS TRANSPORTATION COMMITMENTS. ALL REQUIRED TRANSPORTATION IMPROVEMENTS ASSOCIATED

WITH REZONING PETITION 2013-071 AND REZONING PETITION 2018-027 ARE COMPLETE.

- b. ACCESS TO STREETS. ACCESS TO THE SITE WILL BE FROM SHARON ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN AND SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
- c. DRIVEWAYS/PEDESTRIAN CONNECTIONS. SUBJECT TO THE OPTIONAL PROVISIONS SET FORTH ABOVE. THE PRIVATE STREETS/DRIVEWAYS GENERALLY DEPICTED ON THE REZONING PLAN WILL BE DESIGNED AS INDICATED ON THE REZONING PLAN AND TREATED AS DRIVEWAYS, DRIVEWAY AND PEDESTRIAN CONNECTIONS GENERALLY DEPICTED ON THE REZONING PLAN FROM ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN SUBJECT TO DEVELOPMENT ISSUES AND OTHER CONSTRAINTS REASONABLY DETERMINED BY PETITIONER.
- d. ALIGNMENT/LOCATIONS OF DRIVEWAYS. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE, THE DRIVEWAYS ON THE SITE AND STREETSCAPE CROSS-SECTIONS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED.
- e. EASTBURN AREA EMERGENCY FIRE TRUCK ACCESS. THE EXISTING EMERGENCY FIRE TRUCK ACCESS INSTALLED ON SHARON ROAD IN THE LOCATION DEPICTED ON SHEET RZ-3 SHALL REMAIN. THE EMERGENCY FIRE TRUCK ACCESS SHALL CONTAIN GRASS PAVERS AND SHALL REMAIN GATED AT ALL TIMES EXCEPT WHEN BEING UTILIZED FOR EMERGENCY FIRE TRUCK ACCESS. NOTE TO LAND DESIGN: WE NEED TO SHOW THIS ON THE PLAN
- f. HAZELTON AREA EMERGENCY FIRE ACCESS. AN EMERGENCY FIRE ACCESS SHALL BE PROVIDED ALONG SHARON ROAD AS GENERALLY DEPICTED ON SHEET RZ-3 SUBJECT TO FIRE MARSHALL AND CDOT APPROVAL.
- g. <u>CATS BUS STOP</u>. THE EXISTING BUS STOP ALONG THE SITE'S SHARON ROAD FRONTAGE SHALL BE UPGRADED TO THE ADA-COMPLIANT BUS STANDARD DETAIL 60.02A PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY IN DEVELOPMENT AREA B.
- h. RIGHT-OF-WAY ENCROACHMENT AGREEMENT. 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 LIABILITY INSURANCE COVERAGE REQUIREMENTS.
- 5. SETBACKS AND STREETSCAPE IMPROVEMENTS
- A. SHARON ROAD. A MINIMUM FORTY (40) FOOT SETBACK WILL BE PROVIDED ALONG SHARON ROAD AS, PER THE ORDINANCE, MEASURED FROM THE RIGHT OF WAY IN DEVELOPMENT AREAS A. A MINIMUM SIXTY (60) FOOT SETBACK WILL BE PROVIDED ALONG SHARON ROAD AS, PER THE ORDINANCE, MEASURED FROM THE EXISTING/FUTURE BACK OF CURB IN DEVELOPMENT AREA B. WITHIN THE SETBACK AREA OF SHARON ROAD, THE EXISTING TEN (10) FOOT PLANTING STRIP AND A TEN (10) FOOT SIDEWALK WILL REMAIN ALONG THE PORTION OF SHARON ROAD ADJACENT TO THE DEVELOPMENT AREAS B & C AND THE PORTION OF DEVELOPMENT AREA A WHERE IT CURRENTLY EXISTS. THE EXISTING STREETSCAPE ABUTTING SHARON ROAD ALONG THE REMAINDER OF DEVELOPMENT AREA A WILL REMAIN.
- b. HAZELTON DRIVE ALONG OPEN SPACE DEVELOPMENT AREA C. AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK WILL BE MAINTAINED ALONG HAZELTON DRIVE WITHIN DEVELOPMENT AREA C: AND AS INDICATED NO PRINCIPAL BUILDINGS SHALL BE ALLOWED WITHIN DEVELOPMENT AREA C.
- c. EASTBURN ROAD AND SUNNYBROOK DRIVE DEVELOPMENT AREA A. AN EIGHT (8) FOOT PLANTING STRIP AND A FIVE (5) FOOT SIDEWALK WILL BE MAINTAINED ALONG EASTBURN ROAD AND SUNNYBROOK DRIVE AS REQUIRED

BY REZONING PETITION 2013-071. THE SIDEWALK MAY MEANDER TO SAVE EXISTING TREES AND WHERE THE SIDEWALK MEANDERS TO SAVE EXISTING TREES, THE WIDTH OF THE PLANTING STRIP MAY BE LESS THAN 8 FEET.

6. SIDE YARD SETBACK/SEPARATION/BUFFERS. SIDE YARDS AND BUFFERS SHALL BE PROVIDED WITHIN EACH DEVELOPMENT AREA AS FOLLOWS:

a. DEVELOPMENT AREAS A - ADJACENT TO HAZELTON:

i. A MINIMUM 68.75 FOOT WIDE BUILDING SIDE YARD/SEPARATION SHALL BE PROVIDED ALONG A PORTION OF THE COMMON BOUNDARY WITH THE RESIDENCES LOCATED ALONG HAZELTON DRIVE WITHIN DEVELOPMENT AREA A AND WITHIN THIS AREA A 20 FOOT WIDE SIDE YARD AS WELL AS A REDUCED 48.75 FOOT BUFFER/LANDSCAPED AREA WITH A FENCE SHALL BE PROVIDED, ALL AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7B.

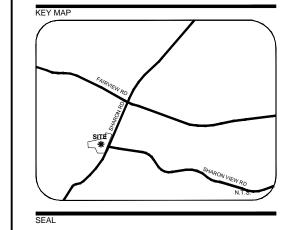
- ii. A 20 FOOT FIRE LANE MAY BE LOCATED ADJACENT TO AND ON THE INTERIOR SIDE OF THE 68.75 FOOT BUILDING SIDE YARD/SEPARATION FOR DEVELOPMENT AREA A (SUCH FIRE LANE TO CONTAIN GRASS PAVERS OR SIMILAR MATERIALS) AND ANY ASSOCIATED RETAINING WALL SHALL NOT HAVE AN AVERAGE HEIGHT THAT EXCEEDS FIVE FEET (5') FROM GRADE NOT TO EXCEED EIGHT FEET (8') AT ANY LOCATION; AND
- iii. A BUFFER/LANDSCAPED AREA EXTENDING A MINIMUM DISTANCE OF 48.75 FEET FROM A PORTION OF THE COMMON BOUNDARY WITH THE RESIDENCES ALONG HAZELTON DRIVE IN DEVELOPMENT AREA A SHALL BE PROVIDED, AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7B. NO GRADING SHALL TAKE PLACE WITHIN THE FIRST 25 FEET FROM THE COMMON BOUNDARY WITH THE HAZELTON EDGE (THE "UNDISTURBED PORTION") EXCEPT IN CONNECTION WITH UNUSUAL TOPO OR SITE CONDITIONS, FENCES, REQUIRED LANDSCAPING, LANDSCAPING MAINTENANCE AND REPLACEMENT OR INSTALLATION AND MAINTENANCE OF UTILITY LINES IN ACCORDANCE WITH SECTION 12.302(12) OF THE ORDINANCE. TREES OF 3" CALIPER OR GREATER SHALL BE PRESERVED WITHIN THE 25 FOOT WIDE UNDISTURBED PORTION. THE REMAINDER OF THE 48.75 FOOT WIDE BUFFER/LANDSCAPED AREA SHALL CONSIST OF A 23.75 FOOT WIDE ADDITIONAL PLANTED AREA EXTENDING ALONGSIDE THE UNDISTURBED PORTION, AND A 6 FOOT HIGH PRIVACY FENCE SHALL BE INSTALLED IN THE AREA BETWEEN THE 23.75 FOOT WIDE AREA AND THE 20 FOOT FIRE LANE IN DEVELOPMENT AREA A AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7B AND GRADING IS ALLOWED WITHIN THE 23.75 FOOT WIDE ADDITIONAL PLANTED AREA. THE 40 FOOT WIDE BUFFER/LANDSCAPED AREA SHALL BE MAINTAINED TO CLASS B BUFFER STANDARDS USING A COMBINATION OF THE 3" CALIPER OR GREATER EXISTING TREES WITHIN THE 25 FOOT UNDISTURBED PORTION ALONG WITH SUPPLEMENTAL TREE PLANTINGS TO ACHIEVE EIGHT (8) TREES PER 100 LINEAR FEET IN THE OVERALL AREA ALONG WITH PLANTINGS OF SHRUBS.
- b. DEVELOPMENT AREA A REMAINDER OF SITE (GENERALLY MEANS THE INST ZONED AREA NOT INCLUDED IN THE 2018 REZONING):
- i. A 50 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. EXCEPT AS PROVIDED HEREIN, THE WIDTH OF THIS 50 FOOT CLASS C BUFFER MAY NOT BE REDUCED EXCEPT AS DESCRIBE IN B.II BELOW.
- ii. PURSUANT TO SECTION 12.302(8) OF THE ORDINANCE, THAT PORTION OF THE 50 FOOT CLASS C BUFFER LOCATED ALONG THE SITE'S NORTHERN BOUNDARY LINE THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN SHALL BE REDUCED IN WIDTH BY 25% TO 37.5 FEET AS A RESULT OF THE INSTALLATION OF A FENCE THAT MEETS THE REQUIREMENTS OF SECTION 12.302(8).
- iii.NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY. THE EXISTING STRUCTURES AND IMPROVEMENTS ON THE SITE THAT ENCROACH INTO THE 50 FOOT CLASS C BUFFER MAY REMAIN IN PLACE AND SHALL NOT BE REQUIRED TO BE BROUGHT INTO COMPLIANCE WITH THE BUFFER REQUIREMENTS OF THE ORDINANCE AS A RESULT OF A VARIANCE GRANTED BY THE CHARLOTTE ZONING BOARD OF ADJUSTMENT ON DECEMBER 28, 1999 IN CASE NO. 99-111 (THE "VARIANCE"), THE VARIANCE GRANTED A 50 FOOT VARIANCE FROM THE REQUIRED 50 FOOT CLASS C BUFFER TO ALLOW THE SENIOR LIVING COMMUNITY TO REMAIN AS IS WITHOUT INSTALLING A BUFFER. A 50 FOOT CLASS C BUFFER WAS THEN REQUIRED TO BE ESTABLISHED ON THE SITE PURSUANT TO THE APPROVED CONDITIONAL REZONING PLAN RELATING TO REZONING PETITION NO. 2001-007 THAT WAS APPROVED BY CITY COUNCIL ON FEBRUARY 19, 2001. HOWEVER, THE REQUIREMENT TO ESTABLISH THE BUFFER WAS SUBJECT TO THE VARIANCE, THEREBY PERMITTING THE EXISTING STRUCTURES AND IMPROVEMENTS ON THE SITE THAT ENCROACH INTO THE BUFFER TO REMAIN IN PLACE. THE 50 FOOT CLASS C BUFFER REQUIRED TO BE ESTABLISHED UNDER THIS REZONING PLAN IS LIKEWISE SUBJECT TO THE VARIANCE, THEREBY PERMITTING THE EXISTING STRUCTURES AND IMPROVEMENTS ON THE SITE THAT ENCROACH INTO THE BUFFER TO REMAIN IN PLACE. NEW DEVELOPMENT SHALL BE PROHIBITED FROM ENCROACHING INTO THE ESTABLISHED BUFFER.
- ix. AS DEPICTED ON THE REZONING PLAN, 60 FOOT SIDE AND REAR YARDS ARE ESTABLISHED ON THE SITE WITH RESPECT TO CERTAIN EXTERIOR LOT LINES OR PROPERTY LINES. NOTWITHSTANDING THE FOREGOING, EXISTING STRUCTURES AND IMPROVEMENTS MAY ENCROACH INTO SUCH 60 FOOT SIDE YARDS AND 60 FOOT REAR YARD, PROVIDED THAT SUCH STRUCTURES AND IMPROVEMENTS COMPLY WITH THE 20 FOOT SIDE YARD AND 20 FOOT REAR YARD REQUIREMENTS OF THE INSTITUTIONAL ZONING DISTRICT. ADDITIONALLY, AS DEPICTED ON THE REZONING PLAN, PORTIONS OF THE NEW PARKING LOTS AND VEHICULAR DRIVE LOCATED ON THE NORTHERN SIDE OF THE SITE MAY ENCROACH INTO THE 60 FOOT SIDE YARD, PROVIDED THAT THESE IMPROVEMENTS MAY NOT ENCROACH INTO THE 37.5 FOOT CLASS C BUFFER.
- x. PURSUANT TO SECTION 12.302 OF THE ORDINANCE, A 50 FOOT CLASS C BUFFER IS REQUIRED TO BE ESTABLISHED ALONG THE NORTHWESTERLY PROPERTY LINE OF TAX PARCEL NO. 179-051-04 IMMEDIATELY ADJACENT TO TAX PARCEL NO. 179_051-03, AND PURSUANT TO SECTION 9.505(1)(E) OF THE ORDINANCE, A 20 FOOT SIDE YARD MUST BE ESTABLISHED ALONG THIS PROPERTY LINE. THE ESTABLISHMENT OF THE 50 FOOT CLASS C BUFFER AND THE 20 FOOT SIDE YARD WOULD REQUIRE THE DEMOLITION AND REMOVAL OF THE EXISTING DETACHED HOME LOCATED ON TAX PARCEL NO. 179-051-04. TO PREVENT THE DEMOLITION AND REMOVAL OF THE DETACHED HOME LOCATED ON TAX PARCEL NO. 179-051-04 AND TO PRESERVE SUCH DETACHED HOME, THE PETITIONER OBTAINED VARIANCES FROM THE CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT (CASE NO. 2013-043) ON NOVEMBER 26, 2013 THAT (I) ELIMINATED THE 50 FOOT CLASS C BUFFER REQUIREMENT AND (II) REDUCED THE REQUIRED SIDE YARD FROM 20 FEET TO 11 FEET. ASA RESULT OF THE GRANTING OF THESE VARIANCES, THE DETACHED HOME LOCATED ON TAX PARCEL NO. 179-051-04 SHALL BE PERMITTED TO REMAIN IN PLACE.

c. DEVELOPMENT AREA B

- i. A MINIMUM 60 FOOT WIDE BUILDING SIDE YARD/SEPARATION SHALL BE PROVIDED ALONG THE COMMON BOUNDARY WITH THE RESIDENCES LOCATED ALONG HAZELTON DRIVE WITHIN DEVELOPMENT AREA B, AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7A;
- ii. A 20 FOOT FIRE LANE MAY BE LOCATED ADJACENT TO AND ON THE INTERIOR SIDE OF THE 60 FOOT BUILDING SIDE YARD/SEPARATION FOR DEVELOPMENT AREA B (SUCH FIRE LANE TO CONTAIN GRASS PAVERS OR SIMILAR MATERIALS) AND ANY ASSOCIATED RETAINING WALL SHALL NOT HAVE AN AVERAGE HEIGHT THAT EXCEEDS FIVE FEET (5') FROM GRADE NOT TO EXCEED EIGHT FEET (8') AT ANY LOCATION; AND
- iii. A BUFFER/LANDSCAPED AREA EXTENDING A MINIMUM DISTANCE OF 40 FEET FROM THE COMMON BOUNDARY WITH THE RESIDENCES ALONG HAZELTON DRIVE IN DEVELOPMENT AREA B SHALL BE PROVIDED, AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7A. NO GRADING SHALL TAKE PLACE WITHIN THE FIRST 25 FEET FROM THE COMMON BOUNDARY WITH THE HAZELTON EDGE (THE "UNDISTURBED PORTION") EXCEPT IN CONNECTION WITH UNUSUAL TOPO OR SITE CONDITIONS, FENCES, REQUIRED LANDSCAPING, LANDSCAPING MAINTENANCE AND REPLACEMENT OR INSTALLATION AND MAINTENANCE OF UTILITY LINES IN ACCORDANCE WITH SECTION 12.302(12) OF THE ORDINANCE. TREES OF 3" CALIPER OR GREATER SHALL BE PRESERVED WITHIN THE 25 FOOT WIDE UNDISTURBED PORTION. THE REMAINDER OF THE 40 FOOT WIDE BUFFER/LANDSCAPED AREA SHALL CONSIST OF A 15 FOOT WIDE ADDITIONAL PLANTED AREA EXTENDING ALONGSIDE THE UNDISTURBED PORTION, AND A 6 FOOT HIGH PRIVACY FENCE SHALL BE INSTALLED IN THE AREA BETWEEN THE 15 FOOT WIDE AREA AND THE 20 FOOT FIRE LANE IN DEVELOPMENT AREAS B AS GENERALLY DEPICTED ON SHEET RZ-3 AND SHEET RZ-7A AND GRADING IS ALLOWED WITHIN THE 15 FOOT WIDE ADDITIONAL PLANTED AREA. THE 40 FOOT WIDE BUFFER/LANDSCAPED AREA SHALL BE MAINTAINED TO CLASS B BUFFER STANDARDS USING A COMBINATION OF THE 3" CALIPER OR GREATER EXISTING TREES WITHIN THE 25 FOOT UNDISTURBED PORTION ALONG WITH SUPPLEMENTAL TREE PLANTINGS TO ACHIEVE EIGHT (8) TREES PER 100 LINEAR FEET IN THE OVERALL AREA ALONG WITH PLANTING OF
- iv.PETITIONER SHALL REPLANT DEAD TREES LOCATED WITHIN THE ABOVE-REFERENCED LANDSCAPE BUFFER AREAS IN ACCORDANCE WITH ORDINANCE STANDARDS OR IF SUCH STANDARDS CEASE TO EXIST WITH TREES OF 3 "CALIPER, IT BEING UNDERSTOOD THAT PETITIONER SHALL NOT BE REQUIRED TO REPLANT TREES OF THE SAME SIZE AS THE TREE OR TREES BEING REPLACED.
- d. AS INDICATED IN SECTION 2.G., BALCONIES LOCATED ABOVE THE FIRST FLOOR OF THE BUILDINGS ALONG SHARON ROAD MAY ENCROACH UP TO FOUR (4) FEET INTO THE SETBACK, SUBJECT, AS APPLICABLE, TO CDOT APPROVAL, AND BALCONIES LOCATED WITHIN DEVELOPMENT AREA B THAT FRONT TOWARD DEVELOPMENT AREA C (BUT NOT TOWARD THE REST OF THE HAZELTON RESIDENTIAL EDGE) MAY ENCROACH UP TO FOUR (4) FEET INTO THE BUILDING SIDE YARD/SEPARATION (SUBJECT TO COMPLIANCE WITH FIRE LANE CLEARANCE REGULATIONS AND NO RESULTING MOVEMENT OF THE FIRE LANE CLOSER TO THE HAZELTON RESIDENTIAL EDGE).
- e. AS INDICATED IN SECTION 2.G., OUTDOOR DINING CANOPIES AND AWNINGS ON THE BUILDING(S) ALONG SHARON ROAD MAY ENCROACH UP TO TEN (10) FEET INTO THE SETBACK, SUBJECT, HOWEVER, AS APPLICABLE, TO CDOT APPROVAL. IN ADDITION, OUTDOOR DINING CANOPIES AND AWNINGS ON BUILDING WITHIN DEVELOPMENT AREA B THAT FRONT TOWARD DEVELOPMENT AREA C (BUT NOT TOWARD THE REST OF THE HAZELTON RESIDENTIAL EDGE) MAY ENCROACH UP TO TEN (10) FEET INTO THE BUILDING SIDE YARD/SEPARATION.
- f. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE. PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS SET OUT ON THE REZONING PLAN ACCORDINGLY.

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CHARLOTTE, NC 28202



THE SHARON

REZONING CHARLOTTE, NC

#2024-111

1024045

REVISION / ISSUANCE

DESCRIPTION INITIAL REZONING SUBMITTAL PER STAFF 11/11/24 COMMENTS PER STAFF 01/23/25 COMMENTS PER STAFF 02/10/25 COMMENTS

> VERT: N/A HORZ: AS SHOWN

DEVELOPMENT STANDARDS

ORIGINAL SHEET SIZE: 24" X 36"

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7 PARKING AREAS, ACCESS AND CIRCULATION DESIGN GUIDELINES.

a. BUILDING MATERIALS ASSOCIATED WITH FACADES ON PARKING STRUCTURES THAT ARE GENERALLY COMPATIBLE CHARLOT IN CHARACTER AND QUALITY WITH ADJOINING BUILDINGS, PLAZAS AND STREETSCAPES WILL BE CREATED, TAKING INTO CONSIDERATION DIFFERENCES ASSOCIATED WITH PARKING STRUCTURES.

A D PARKING STRUCTURES SHALL BE DESIGNED TO MATERIALLY SCREEN THE VIEW OF PARKED CARS FROM ADJACENT PUBLIC STREETS, PRIVATE DRIVEWAYS, OR PUBLICLY ACCESSIBLE OPEN SPACES OR PLAZAS ON ALL LEVELS. SCREENING OF CARS ON THE GROUND LEVEL WILL BE ACCOMPLISHED PRIMARILY THROUGH THE USE OF LANDSCAPING; AND SCREENING OF CARS PARKED ON AN EXPOSE UPPER LEVEL WILL BE ACCOMPLISHED BY A WALL.AT LEAST 36 INCHES IN HEIGHT, DESIGNED AS PART OF THE PARKING DECK STRUCTURE; PROVIDED, HOWEVER, THE PARKING STRUCTURE SCREENING LOCATED ALONG THE HAZELTON RESIDENTIAL EDGE WILL BE PPAQUE TO PREVENT THE VIEW OF CARS AND LIGHT EMITTANCE FROM SUCH HAZELTON RESIDENTIAL EDGE. FURTHERMORE, THE DRIVEWAYS FOR VEHICLES ENTERING AND EXITING THE PARKING DECK STRUCTURES BETWEEN THE BUILDINGS WITHIN DEVELOPMENT AREAS A AND B WILL BE SCREENED BY AN OPAQUE WALL OR FENCE IN A MANNER TO PREVENT VIEW OF CARS AND LIGHT EMITTANCE FROM SUCH HAZELTON RESIDENTIAL

c. ON-SITE LOADING DOCKS AND WASTE AREAS SHALL BE SEPARATED AND/OR SCREENED FROM VIEW AT GROUND LEVEL FROM PRIMARY BUILDING ENTRANCES AND FROM THE HAZELTON RESIDENTIAL EDGE.

d. PARKING (EXCLUDING STRUCTURED PARKING) SHALL NOT BE PERMITTED ON OR ADJACENT TO THE HAZELTON THE HAZELTON RESIDENTIAL EDGE.

PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES.

a. ALONG THE SITE'S INTERNAL PRIVATE DRIVEWAYS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDINGS, PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC AND/OR OTHER PEDESTRIAN FEATURES AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE SIX (6) FEET

b. WALKWAYS THROUGH PLAZAS OR PUBLICLY ACCESSIBLE OPEN SPACE AREAS WILL BE APPROPRIATELY DESIGNED FOR THE INTENDED USE AND TYPE OF OPEN SPACE AREA IN WHICH THEY ARE LOCATED.

c. WHERE WALKWAYS OCCUR ALONG BUILDING WALLS, A WALKWAY WIDTH OF AT LEAST SIX (6) FEET MUST BE 11. <u>ENVIRONMENTAL FEATURES</u>: MAINTAINED CLEAR OF DOOR SWINGS, TEMPORARY TRASH OR SIMILAR IMPEDIMENTS.

OPEN SPACE GENERALLY

a. THE PETITIONER WILL PROVIDE OPEN SPACE AREAS IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN BUT SUBJECT TO MINOR ADJUSTMENTS NEEDED TO ACCOMMODATE BUILDING AND PARKING IMPROVEMENTS. EXCEPT WITH RESPECT TO OPEN SPACE WITHIN DEVELOPMENT AREA C, THESE OPEN SPACE AREAS WILL CONTAIN LANDSCAPING, SEATING AREAS AND/OR HARDSCAPE ELEMENTS.

10. GENERAL DESIGN GUIDELINES.

a. <u>DEVELOPMENT AREA A GENERAL CONSIDERATIONS</u>

i. SET OUT ON SHEET RZ-5 IS A CONCEPTUAL ARCHITECTURAL RENDERING OF THE NEW BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS, AND THIS CONCEPTUAL ARCHITECTURAL RENDERING IS INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE NEW BUILDINGS THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS. ACCORDINGLY, EACH NEW BUILDING TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS SHALL BE DESIGNED AND CONSTRUCTED SO THAT IT IS SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED CONCEPTUAL ARCHITECTURAL RENDERING. CHANGES AND ALTERATIONS WHICH DO NOT (A) MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER, (B) INCREASE THE HEIGHTS OF ANY OF THE BUILDINGS ABOVE THE HEIGHTS SPECIFIED HEREIN OR (C) DECREASE THE DISTANCE BETWEEN ANY BUILDING AND ANY PROPERTY IN THE FAIRMEADOWS SUBDIVISION OR THE LAUREL WOODS SUBDIVISION ARE PERMITTED BASED UPON FINAL DESIGN/CONSTRUCTION DRAWINGS.

ii. THE MAXIMUM HEIGHT IN STORIES OF THE NEW BUILDINGS THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS SHALL BE THREE STORIES OVER A ONE STORY STRUCTURED PARKING FACILITY.

iii. THE MAXIMUM HEIGHT IN STORIES OF THE NURSING AND SPECIAL CARE BUILDING ADDITION SHALL BE THREE STORIES OVER A ONE STORY STRUCTURED PARKING FACILITY, AND THE MAXIMUM HEIGHT IN STORIES OF THE COMMON AREAS BUILDING ADDITION SHALL BE TWO STORIES.

iv. SUBJECT TO PARAGRAPH VII BELOW WITH RESPECT TO PORTIONS OF THE NEW BUILDING THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS THAT IS DESIGNATED AS BUILDING E ON THE REZONING PLAN, THE MAXIMUM HEIGHT IN FEET OF EACH NEW BUILDING THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT

v. THE FINISHED FLOOR ELEVATION OF THE MAIN ENTRY LEVEL OF THE NEW BUILDING THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS THAT IS DESIGNATED AS BUILDING E ON THE REZONING PLAN SHALL NOT EXCEED 701 FEET.

vi.THE FINISHED FLOOR ELEVATION OF THE MAIN ENTRY LEVEL OF THE NEW BUILDING THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS THAT IS DESIGNATED AS BUILDING B ON THE REZONING PLAN SHALL NOT EXCEED 706 FEET.

vii. THE MAXIMUM HEIGHT IN FEET OF THE VARIOUS ELEMENTS OF THE BACK OR REAR ELEVATION OF THE NEW BUILDING THAT WILL CONTAIN APARTMENT STYLE INDEPENDENT LIVING UNITS THAT IS DESIGNATED AS BUILDING E ON THE REZONING PLAN IS MORE PARTICULARLY SET OUT ON SHEET RZ201. THE MAXIMUM HEIGHT OF EACH ELEMENT IS MEASURED FROM THE FINISHED FLOOR ELEVATION OF THE MAIN ENTRY LEVEL OF THE BUILDING. NO CHANGES SHALL BE MADE THAT INCREASES THE FINISHED FLOOR ELEVATION OF THE MAIN ENTRY LEVEL OF BUILDING E, OR THAT INCREASES THE MAXIMUM HEIGHT OF THE VARIOUS ELEMENTS OF BUILDING E AS SPECIFIED ON SHEET RZ201.

VIII. THE DETACHED HOMES LOCATED ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04 SHALL CONTINUE TO FRONT AND ADDRESS THE RELEVANT ADJACENT STREET. THE DRIVEWAYS SERVING THESE PARCELS SHALL NOT SERVE ANY OTHER PARCEL AND THEY SHALL CONNECT ONLY TO THEIR CURRENT STREETS.

 $ec{ imes}$ ix.NEW DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE $ec{ imes}$ WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A NEW DUMPSTER AND RECYCLING < AREA ADJOIN A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE. NO DUMPSTER OR RECYCLING AREAS WILL BE LOCATED ALONG THE HAZELTON RESIDENTIAL EDGE.

x. DUMPSTERS WILL NOT BE UTILIZED FOR TRASH SERVICE FOR THE APARTMENT STYLE INDEPENDENT LIVING UNIT BUILDINGS LOCATED ALONG THE SOUTHERN PORTION OF THE SITE AS GENERALLY DEPICTED ON SHEET RZ-9.

xi.ALL ROOF MOUNTED MECHANICAL EQUIPMENT ON THE NEW BUILDINGS AND BUILDING ADDITIONS TO BE . CONSTRUCTED ON THE SITE WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

XII. FOR BUILDINGS ALONG THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY, A MAXIMUM BUILDING HEIGHT \sim 0 $\dot{
m F}$ 65 FEET SHALL APPLY IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 68.75-FOOT WIDE BUILDING SETBACK/SEPARATION ALONG THE HAZELTON DRIVE EXTERNAL BOUNDARY AS IDENTIFIED ON THE REZONING PLAN OR THE 60-FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE REMAINING EXTERIOR PROPERTY BOUNDARY. A MAXIMUM BUILDING HEIGHT AT SUCH BUILDING SETBACK/SEPARATION OF UP TO 60 FEET SHALL APPLY.

 $oxed{(}$ xiii. $oxed{A}$ MAXIMUM BUILDING HEIGHT OF 130 FEET SHALL APPLY TO EXISTING BUILDINGS AND THE REDEVELOPMENT OF ∽AŃ EXISTING BUILDING ON THE SHARON CAMPUS. SUCH BUILDINGS SHALL BE LOCATED A MINIMUM OF 300 FEET FROM THE WESTERN EASTBURN ROAD AND SUNNYBROOK DRIVE EXTERNAL BOUNDARY AND THE NORTHERN HAZELTON DRIVE EXTERNAL BOUNDARY. PORTIONS OF A STRUCTURE WITHIN THE FIRST 100 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 50 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 100 AND 200 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 65 FEET. PORTIONS OF A STRUCTURE LOCATED BETWEEN 200 AND 300 FEET ARE LIMITED TO A MAXIMUM HEIGHT OF 75 FEET.

b. DEVELOPMENT AREA B GENERAL CONSIDERATIONS

i. BUILDINGS WILL BE ORIENTED TOWARDS SHARON ROAD AND THE INTERNAL DRIVEWAY TO REINFORCE THE STREETSCAPE.

ii. ARCHITECTURAL TREATMENT SHALL CONTINUE ON ALL SIDES OF A BUILDING EXCEPT AS SPECIFICALLY NOTED

iii.GROUND FLOOR ELEVATIONS SHALL BE TREATED WITH A COMBINATION OF FENESTRATION, CLEAR GLASS, PROMINENT ENTRANCES, CHANGE IN MATERIALS, BUILDING STEP BACKS, ART WORK AND LANDSCAPING. BLANK WALLS GREATER THAN TWENTY FEET (20') CANNOT BE ADDRESSED WITH LANDSCAPE ELEMENTS ONLY.

iv. ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL, TEXTURE, AND COLOR

v. STRUCTURED PARKING ORIENTED TOWARD THE HAZELTON RESIDENTIAL EDGE SHALL BE DESIGNED IN AN OPAQUE MANNER IN ORDER TO FULLY SCREEN LIGHTING FROM WITHIN THE DECK AS SET FORTH IN SECTION 7.B.

vi. A MINIMUM BUILDING SEPARATION OF 20 FEET SHALL BE PROVIDED BETWEEN THE BUILDINGS IN DEVELOPMENT AREAS A AND B AS DETERMINED AT THE CLOSEST POINTS BETWEEN THE BUILDING ABOVE GRADE.

vii. NEW DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A NEW DUMPSTER AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE. NO DUMPSTER OR RECYCLING AREAS WILL BE LOCATED ALONG THE HAZELTON RESIDENTIAL EDGE.

viii. ALL ROOF MOUNTED MECHANICAL EQUIPMENT ON THE NEW BUILDINGS AND BUILDING ADDITIONS TO BE CONSTRUCTED ON THE SITE WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

ix.HVAC CONDENSERS SHALL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AND SHALL NOT BE LOCATED ALONG THE HAZELTON RESIDENTIAL EDGE UNLESS SUCH UTILITIES ARE ROOF MOUNTED AND SCREENED FROM VIEW FROM ABUTTING PROPERTIES AS VIEWED FROM GRADE.

x. A MAXIMUM BUILDING HEIGHT (AS MEASURED PER ORDINANCE BASED ON AVERAGE GRADE) OF UP TO 83 FEET SHALL APPLY TO DEVELOPMENT AREA B. MAXIMUM HEIGHTS ARE LOCATED IN PORTIONS OF BUILDINGS THAT ARE STEPPED BACK AT LEAST TEN (10) FEET FROM THE 60 FOOT WIDE BUILDING SETBACK/SEPARATION FROM THE COMMON BOUNDARY WITH HAZELTON DRIVE. A MAXIMUM BUILDING HEIGHT AT SUCH 60 FOOT WIDE BUILDING SETBACK/SEPARATION OF UP TO 60 FEET BASED ON AVERAGE GRADE SHALL APPLY.

c. ARCHITECTURAL STANDARDS & CONCEPTUAL RENDERINGS FOR DEVELOPMENT AREA B. THE CONCEPTUAL RENDERINGS ASSOCIATED WITH THE BUILDING(S) TO BE LOCATED ON THE SITE AS GENERALLY DEPICTED ON SHEET RZ-5 AND SHEETS RZ-8A AND 8B IN CONNECTION WITH CERTAIN OF PERMITTED USES OF THE SITE ARE INCLUDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING(S) THAT WILL BE CONSTRUCTED, IT BEING UNDERSTOOD THAT THE ACTUAL BUILDING(S) SO CONSTRUCTED AND THE NATURE/LOCATION OF THE BUILDING ELEMENTS MAY VARY FROM THESE ILLUSTRATIONS AS LONG AS (I) THE GENERAL ARCHITECTURAL CONCEPT AND INTENT SHOWN IS MAINTAINED, (II) HEIGHTS OF ANY BUILDINGS ABOVE HEIGHTS SPECIFIED IN THE DEVELOPMENT DATA PORTION ARE NOT INCREASED. AND (III) THE DISTANCE BETWEEN BUILDINGS AND THE COMMON BOUNDARY LINE WITH THE HAZELTON RESIDENTIAL EDGE ARE NOT DECREASED WITHOUT THE CONSENT OF EACH OWNER LOCATED ALONG THE APPLICABLE DEVELOPMENT AREA.

FACADES MATERIALS:

(i) WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 30% OF THE TOTAL FACADE AREA ALONG SHARON ROAD, WITH EACH FLOOR CALCULATED INDEPENDENTLY. THIS STANDARD WILL NOT APPLY TO THE PORTIONS OF THE BUILDINGS THAT ARE LOCATED ALONG INTERNAL PRIVATE DRIVEWAYS AND/OR ALONG THE BUFFER PARALLEL TO HAZELTON DRIVE THAT ARE VISIBLE FROM PUBLIC STREETS.

(ii) THE FACADES OF FIRST/GROUND FLOOR OF THE BUILDINGS ALONG SHARON ROAD SHALL INCORPORATE A MINIMUM OF 25% MASONRY MATERIALS SUCH AS BRICK, STUCCO OR STONE.

(iii) FOUNDATIONS, WHERE PROVIDED, SHALL BE CONSTRUCTED AS A DISTINCT BUILDING ELEMENT THAT CONTRASTS WITH FACADE MATERIALS. EXPOSED ABOVE-GROUND FOUNDATIONS SHALL BE COATED OR FACED IN CEMENT, STUCCO, BRICK, MANUFACTURED STONE, OR NATURAL STONE TO CONTRAST WITH FACADE MATERIALS.

FAÇADE ARTICULATION:

(i) SHARON ROAD FRONTING FACADES AND END FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.

(ii) FIRST STORY FACADES OF ALL BUILDINGS ALONG SHARON ROAD SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, WINDOWS, DOORS, AND/OR OTHER ARCHITECTURAL ELEMENTS.

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED TREE ORDINANCE AND POST CONSTRUCTION CONTROLS ORDINANCE IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THE UNIFIED DEVELOPMENT ORDINANCE. IT IS UNDERSTOOD THAT STORM WATER DETENTION STORAGE FACILITIES ON THE SITE WILL BE UNDERGROUND AND SHALL NOT BE OPEN EXCEPT FOR MAINTENANCE AS MAY BE REQUIRED BY APPLICABLE ORDINANCES.

b. IN ADDITION TO THE FOREGOING, A MINIMUM OF 16% THE ENTIRE THE SHARON CAMPUS (AS DEFINED IN SECTION 1.E ABOVE) IN THE AGGREGATE SHALL BE DEVOTED TO TREE SAVE AREAS AS DEFINED IN THE CITY OF CHARLOTTE TREE ORDINANCE.

12. SIGNAGE ON SITE

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED IN ADDITION TO THE SIGNAGE OTHERWISE ALLOWED IN THIS SECTION: PROVIDED, HOWEVER, IN NO EVENT SHALL THE FOLLOWING SIGNS BE PERMITTED IN AREAS WITHIN VIEW AT GRADE FROM SHARON ROAD OR FROM THE HAZELTON RESIDENTIAL EDGE: (I) FLASHING SIGNAGE: (II) MARQUEE SIGNAGE: OR (III) TV SCREEN TYPE MESSAGING SIGNAGE; PROVIDED THAT LED AND OTHER SIMILAR TECHNOLOGY MAY BE USED TO PROVIDE LIGHTING FOR SIGNS. FURTHERMORE, NO WALL SIGNS SHALL BE LOCATED ALONG THE BUILDINGS THAT DIRECTLY FACE THE HAZELTON RESIDENTIAL EDGE BUT THIS SHALL NOT LIMIT SIGNAGE RIGHTS AT THE CORNER OF THE BUILDING WITHIN DEVELOPMENT AREA B THAT FACES SHARON ROAD AND DEVELOPMENT AREA C. THE PETITIONER SHALL NOT BE PERMITTED TO INSTALL ANY SIGNAGE ALONG EASTBURN ROAD OR SUNNYBROOK DRIVE. THE PETITIONER MAY BE ALLOWED ONE MONUMENT STYLE GROUND MOUNTED SIGN AT THE INTERSECTION OF EASTBURN ROAD AND SHARON ROAD WITH A MAXIMUM HEIGH TO SIX (6) FEET AND A MAXIMUM SIGN AREA OF 36 SQUARE FEET. FINAL LOCATION TO BE DETERMINED IN COORDINATION WITH FAIRMEADOWS.

b. BECAUSE THE SITE WILL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT AS DEFINED BY THE ORDINANCE, SIGNS MAY BE LOCATED THROUGHOUT THE PORTION OF THE SITE DESIGNATED MUDD-O AS ALLOWED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS. IN ADDITION, USES LOCATED ON THE INTERIOR OF THE SITE MAY BE IDENTIFIED ON THE ALLOWED SIGNS (BY WAY OF EXAMPLE, THE INDOOR RECREATION USE AND THE OTHER USES MAY BE IDENTIFIED ON THE SIGNS ALLOWED ALONG SHARON ROAD). THE ALLOWED SIGNS MAY CONTAIN IDENTIFICATION SIGNAGE FOR ANY OF THE PERMITTED USES LOCATED ON THE SITE.

c. MASTER SIGNAGE AND GRAPHIC SYSTEMS MAY BE ADOPTED.

d. PETITIONER SHALL INSTALL, AT NO INSTALLATION EXPENSE TO THE LAURELWOOD NEIGHBORHOOD, A SIGN IDENTIFYING THE LAURELWOOD NEIGHBORHOOD (THE "LAURELWOOD SIGN") IN ACCORDANCE WITH THE FOLLOWING STANDARDS: (I) THE LAURELWOOD SIGN SHALL NOT EXCEED 24 SQUARE FEET IN SIZE AND SHALL NOT BE TALLER AT GRADE THAN 3-1/2 FEET, OR IN THE EVENT OF AN AGREED UPON COLUMN-BASED OR PIER-BASED SIGN SHALL NOT BE TALLER AT GRADE THAN 6 FEET: UNLESS PETITIONER OTHERWISE AGREES IN WRITING TO A DIFFERENT SIZE SUGGESTED BY LAURELWOOD REPRESENTATIVES. BUT IN ALL EVENTS SUBJECT TO COMPLIANCE WITH THE ORDINANCE: (II) IF THE EXTENDED SAUSSY STREETSCAPE IMPROVEMENTS ARE IN PLACE IN A TIMELY MANNER THEN THE LAURELWOOD SIGN SHALL BE LOCATED ON THE WESTERN EDGE OF THE HAZELTON OPEN SPACE IMMEDIATELY BEHIND THE SIDEWALK IMPROVEMENTS WHERE PRACTICAL IN ALIGNMENT WITH A LANDMARK SIGN TO BE LOCATED ON THE NORTHERN SIDE OF HAZELTON DRIVE BY OTHERS; AND (III) IF THE EXTENDED SAUSSY STREETSCAPE IMPROVEMENTS ARE NOT INSTALLED IN A TIMELY MANNER AS DESCRIBED ABOVE, THEN THE LAURELWOOD SIGN SHALL BE INSTALLED WITHIN THE 8' PLANTING STRIP PORTION OF THE STREETSCAPE IMPROVEMENTS ALONG THE HAZELTON OPEN SPACE. UNLESS PETITIONER OTHERWISE AGREES IN WRITING TO ALTERATIONS SUGGESTED BY LAURELWOOD REPRESENTATIVES, IN ALL EVENTS SUBJECT TO ANY APPLICABLE ENCROACHMENT AGREEMENTS REQUIRED BY CDOT.

e. PETITIONER SHALL INSTALL THE LAURELWOOD SIGN INCLUDING APPROPRIATE ELECTRICAL AND IRRIGATION RELATED UTILITIES, BUT IT SHALL NOT BE RESPONSIBLE FOR REPAIRS OR REPLACEMENTS OF THE LAURELWOOD SIGN AND ASSOCIATED FACILITIES UNLESS CAUSED BY THE PETITIONER (INCLUDING ITS AGENTS PERFORMING LANDSCAPING OR OTHER WORK ON DEVELOPMENT AREA C).

13. LIGHTING:

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES AND DOWNWARDLY DIRECTED, EXCLUDING LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS. FLASHING LIGHTING SHALL NOT BE PERMITTED.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS, WILL BE LIMITED TO 25 FEET IN HEIGHT EXCEPT AS MAY BE REQUIRED FOR PUBLIC SAFETY PURPOSES, AND NO SUCH DETACHED LIGHTING EXCEPT FOR PEDESTRIAN SCALE LIGHTING AND LOW LEVEL SECURITY LIGHTING SHALL BE LOCATED ALONG THE HAZELTON RESIDENTIAL EDGE EXCEPT FOR THAT PORTION FRONTING DEVELOPMENT AREA

c. ANY LIGHTING ASSOCIATED WITH THE FIRE LANE/EMERGENCY ACCESS ALONG THE HAZELTON RESIDENTIAL EDGE SHALL BE LIMITED TO AT GRADE LOW LEVEL LIGHTING EXCEPT AS MAY BE REQUIRED FOR PUBLIC SAFETY PURPOSES.

14. CONSTRUCTION AND MISCELLANEOUS PROVISIONS:

CONSTRUCTION MANAGER'S CONTACT INFORMATION.

THE BELOW ITEMS A - I ARE FROM PETITION 2018-027. a. PETITIONER SHALL POST AT THE SITE ENTRANCE DURING CONSTRUCTION A SIGN CONTAINING THE

IMPROVEMENTS OR IMPROVEMENTS TO SHARON ROAD ALONG THE HAZELTON OPEN SPACE AREA.

b. NOTWITHSTANDING ANY OTHER PROVISION CONTAINED HEREIN TO THE CONTRARY, ALL CONSTRUCTION VEHICLES, INCLUDING, WITHOUT LIMITATION VEHICLES TRANSPORTING CONSTRUCTION WORKERS SERVING THE SITE, SHALL BE PROHIBITED FROM PARKING OR IDLING ON ANY STREETS LOCATED IN THE ADJACENT FAIRMEADOWS SUBDIVISION OR THE ADJACENT LAURELWOOD SUBDIVISION, EXCEPT WHEN SUCH CONSTRUCTION PARKING AND ACTIVITY RELATES DIRECTLY TO THE HAZELTON OPEN SPACE AREA OR RELATED STREETSCAPE

c. OUTDOOR CONSTRUCTION ACTIVITIES (COLLECTIVELY "OUTDOOR CONSTRUCTION AND DELIVERY ACTIVITIES") UTILIZING BACKHOES; DUMP TRUCKS; PAVERS; HEAVY MATERIALS DELIVERY TRUCKS; OTHER SIMILAR HEAVY EQUIPMENT; AIR COMPRESSORS; EXTENDED OUTDOOR HAMMERING, BANGING, FOUNDATION DRILLING, BLASTING OR OTHER OUTDOOR ACTIVITIES THAT CREATE MATERIAL VIBRATIONS FELT OR HEARD OFF-SITE, MAY NOT BE CONDUCTED ON THE SITE ON SUNDAYS. SUCH ACTIVITIES ARE LIMITED TO 7:00 AM TO 7:00 PM MONDAY THROUGH SATURDAY. PROVIDED HOWEVER, SUCH OUTDOOR CONSTRUCTION AND DELIVERY ACTIVITIES FOR TASKS THAT REQUIRE MORE THAN 12 HOURS TO COMPLETE, SUCH AS A MAJOR CONCRETE POUR OR WHEN SPECIFIC HOURS ARE REQUIRED BY THE CITY OR THE ABILITY OF THE SUPPLIER TO DELIVER MATERIALS, MAY EXCEED THE ABOVE-REFERENCED TIME LIMITS UP TO FIVE (5) TIMES DURING THE CONSTRUCTION OF EACH BUILDING (RECORDS OF SUCH INSTANCES SHALL BE KEPT BY PETITIONER/SHARON TOWERS).

d. THE CONTRACTOR(S) SHALL KEEP THE CONSTRUCTION SITE IN A CLEAN AND ORDERLY CONDITION AND SHALL PROMPTLY CLEAN THE ADJACENT ROADS AND SIDEWALKS AS REASONABLY NEEDED BUT IN ALL CASES AS OTHERWISE REQUIRED BY APPLICABLE REGULATIONS.

e. DEVELOPMENT AREA C SHALL NOT BE USED FOR PARKING NOR AS A STAGING GROUND FOR CONSTRUCTION ON THE SITE EXCEPT AS SOLELY RELATES TO CONSTRUCTION ON DEVELOPMENT AREA C OR ADJACENT SIDEWALKS/STREETSCAPE/HARDSCAPE/LANDSCAPE/UTILITIES, EXCEPT AS REQUIRED BY LOCAL REGULATIONS

f. PETITIONER SHALL ABIDE BY ALL APPLICABLE NOISE ORDINANCES THROUGHOUT THE CONSTRUCTION PROCESS RELATED TO WORK CONTEMPLATED BY THE REZONING, BUT IN THE EVENT OF A CONFLICT BETWEEN THE CONSTRUCTION RELATED TIME LIMITATIONS SET FORTH ABOVE IN SUBSECTION C. ABOVE AND THE NOISE ORDINANCE, THE MORE RESTRICTIVE PROVISIONS SHALL CONTROL.

g. PETITIONER SHALL INSTALL CONSTRUCTION FENCING WITH SCREENING THAT IS A MINIMUM OF EIGHT (8) FEET IN

HEIGHT ALONG THE INTERIOR SIDE OF THE UNDISTURBED BUFFER ALONG THE HAZELTON RESIDENTIAL EDGE DURING CONSTRUCTION OF THE PORTIONS OF THE SITE ALONG THE HAZELTON RESIDENTIAL EDGE. h. IT IS AGREED THAT PETITIONER IS NOT RESPONSIBLE FOR TAKING ANY ACTIONS UNDER THIS SECTION OR

OTHERWISE THAT ARE UNRELATED TO THE WORK ON THE SITE.

. THE CONSTRUCTION MANAGEMENT COMMITMENTS OF PETITIONER DESCRIBED IN THIS SECTION RELATE TO THE WORK ASSOCIATED CONTEMPLATED BY THE REZONING, AND SUCH COMMITMENTS SHALL NO LONGER APPLY UPON FINAL COMPLETION OF CONSTRUCTION OF SUCH WORK EVIDENCED BY THE ISSUANCE OF THE LAST CERTIFICATE OF OCCUPANCY FOR THE LAST BUILDING CONSTRUCTED AS PART OF SUCH WORK.

THE BELOW ITEMS J - P ARE FROM PETITION 2013-071

j. CONSTRUCTION MATERIALS RELATING TO CONSTRUCTION ACTIVITIES CONDUCTED ON TAX PARCEL NOS. 179-032-45, 179 051-09 AND 179-051-07 SHALL NOT BE STORED OR MAINTAINED ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04.

k. ALL INITIAL RENOVATIONS OF THE DETACHED HOMES LOCATED ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179 051-04 SHALL BE CONDUCTED SIMULTANEOUSLY.

I. NO CONSTRUCTION STAGING SHALL BE PERMITTED ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04 EXCEPT FOR MATERIALS THAT ARE BEING INSTALLED ON SUCH PARCELS.

m. VEHICULAR ACCESS TO AND FROM TAX PARCEL NOS. 179-032-45, 179-051-09 AND 179-051-07 BY WAY OF PENDLETON AVENUE, EASTBURN ROAD AND SUNNYBROOK DRIVE SHALL BE PROHIBITED. HOWEVER, PEDESTRIAN ACCESS TO AND FROM TAX PARCEL NOS. 179-032-45. 179-051-09 AND 179-051-07 BY WAY OF PENDLETON AVENUE. EASTBURN ROAD AND SUNNYBROOK DRIVE SHALL BE PERMITTED. PROVIDED, HOWEVER, THAT CONSTRUCTION WORKERS SHALL BE PROHIBITED FROM USING SUCH STREETS FOR PEDESTRIAN ACCESS TO AND FROM TAX PARCEL NOS. 179-032-45, 179-051-09 AND 179-051-07.

n. THE CONSTRUCTION ENTRANCE AND EXIT FOR ALL CONSTRUCTION ACTIVITIES CONDUCTED ON TAX PARCEL NOS. 179-032-45, 179-051-09 AND 179-051-07 SHALL BE LOCATED ON SHARON ROAD. IN NO EVENT SHALL CONSTRUCTION TRAFFIC FOR SUCH CONSTRUCTION ACTIVITIES USE PENDLETON AVENUE OR ANY OTHER ROADS IN THE FAIRMEADOWS SUBDIVISION OR THE LAUREL WOODS SUBDIVISION. THE APPROPRIATE LOCATION OF THE CONSTRUCTION ENTRANCE WILL BE DETERMINED DURING THE DRIVEWAY PERMITTING PROCESS.

o. THE CONSTRUCTION ENTRANCE FOR CONSTRUCTION ACTIVITIES RELATING TO THE DETACHED HOMES LOCATED ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04 SHALL BE THE EXISTING DRIVEWAY FOR EACH SUCH PARCEL, PROVIDED THE EXISTING DRIVEWAYS OFFER THE MOST SUITABLE LOCATION FOR THE CONSTRUCTION ENTRANCE TO EACH PARCEL. THE FINAL CONSTRUCTION ENTRANCE LOCATION WILL BE SUBJECT TO THE FINAL APPROVAL OF ENGINEERING & PROPERTY MANAGEMENT AND THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.

p. NOTWITHSTANDING ANY OTHER PROVISION CONTAINED HEREIN, ALL CONSTRUCTION VEHICLES, INCLUDING WITHOUT LIMITATION VEHICLES TRANSPORTING CONSTRUCTION WORKERS SERVING THE SITE, SHALL BE PROHIBITED FROM PARKING OR IDLING ON ANY STREETS LOCATED IN THE ADJACENT FAIRMEADOWS SUBDIVISION OR THE ADJACENT LAUREL WOODS SUBDIVISION.

15. <u>SUPPLEMENTAL COMMITMENTS FROM PETITION 2013-071</u>

a. ATTACHED HERETO AS SHEET RZ-9 IS A NEIGHBORHOOD ENTRY LANDSCAPE PLAN (THE "LANDSCAPE PLAN") THAT DEPICTS THE SOUTHERLY PORTION OF THE SITE AND A PORTION OF TAX PARCEL NO. 179-053-37, WHICH PARCEL IS OWNED BY FAIRMEADOWS NEIGHBORHOOD ASSOCIATION (THE "FAIRMEADOWS PARCEL"). THE LANDSCAPE PLAN CONTAINS A PLAN VIEW AND A PERSPECTIVE, AND THE PERSPECTIVE IS FOR ILLUSTRATIVE PURPOSES. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY NEW BUILDING OR BUILDING ADDITION CONSTRUCTED ON THE SITE, PETITIONER SHALL (I) INSTALL ALL OF THE NEW TREES AND SHRUBS DEPICTED ON THE LANDSCAPE PLAN IN THE PLAN VIEW ON THE SITE EXCEPT FOR THE NEW TREES AND SHRUBS LOCATED WITHIN THAT PORTION OF THE SITE DESIGNATED ON THE LANDSCAPE PLAN AS "PORTION OF LANDSCAPE TO BE INSTALLED UPON COMPLETION OF BUILDING B"; (II) INSTALL A 6 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS AND A 4 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS ON THE SOUTHERLY PORTION OF THE SITE AS DEPICTED ON THE LANDSCAPE PLAN; (III) INSTALL A BERM WITH PLANTINGS ALONG THE REAR OF TAX PARCEL NO. 179-051-04 AS DEPICTED ON THE LANDSCAPE PLAN; (IV) INSTALL THE NEW TREES AND SHRUBS DEPICTED ON THE LANDSCAPE PLAN IN THE PLAN VIEW ON THE RELEVANT PORTION OF THE FAIRMEADOWS PARCEL; (V) RELOCATE AND REFURBISH THE FAIRMEADOWS NEIGHBORHOOD ENTRY SIGN LOCATED ON THE FAIRMEADOWS PARCEL AS DEPICTED ON THE LANDSCAPE PLATT; (VI) INSTALL A 4 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS ON THE FAIRMEADOWS PARCEL AS DEPICTED ON THE LANDSCAPE PLAN; (VII) INSTALL AN IRRIGATION SYSTEM ON THE FAIRMEADOWS PARCEL TO SERVICE THE TREES AND SHRUBS; AND (VIII) INSTALL AND/OR RELOCATE EXISTING LIGHTING ON THE FAIRMEADOWS PARCEL TO ILLUMINATE THE RELOCATED AND REFURBISHED FAIRMEADOWS NEIGHBORHOOD ENTRY SIGN. AS DEPICTED ON THE LANDSCAPE PLAN, LARGE MATURING TREES, EVERGREEN TREES AND SMALL FLOWERING TREES ARE REQUIRED TO BE PLANTED ON TAX PARCEL NOS. 179-051-05 AND 179-051-04. MORE SPECIFICALLY, A TOTAL OF 4 LARGE MATURING TREES ARE TO BE PLANTED ON THESE TAX PARCELS. THE 4 LARGE MATURING TREES WILL EACH BE A MINIMUM OF 5 INCHES IN CALIPER AT THE TIME OF INSTALLATION.

PETITIONER SHALL NOT BE OBLIGATED TO PAY THE WATER BILL ASSOCIATED WITH THE IRRIGATION SYSTEM OR THE ELECTRIC BILL ASSOCIATED WITH THE LIGHTING, AS THESE WILL BE OBLIGATIONS OF THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION. WITH RESPECT TO THE TREES AND SHRUBS, SIGN, BLACK ORNAMENTAL PICKET FENCE. IRRIGATION SYSTEM AND LIGHTING TO BE INSTALLED ON THE FAIRMEADOWS PARCEL. PETITIONER WILL SUBMIT PLANS FOR THESE ITEMS TO THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION FOR REVIEW AND APPROVAL, WHICH REVIEW AND APPROVAL SHALL NOT BE UNREASONABLY WITHHELD OR DELAYED. UPON THE APPROVAL OF THE PLANS BY THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION, THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION SHALL PROVIDE PETITIONER WITH A LETTER ADDRESSED TO THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT ACKNOWLEDGING SUCH APPROVAL.

b. PETITIONER SHALL, AT ITS COST AND EXPENSE, MAINTAIN THE NEW TREES AND SHRUBS AND PROVIDE NORMAL AND ROUTINE MAINTENANCE FOR THE FAIRMEADOWS NEIGHBORHOOD ENTRY SIGN, THE 4 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS, THE IRRIGATION SYSTEM AND THE LIGHTING THAT IT INSTALLS ON THE FAIRMEADOWS PARCEL. SUCH MAINTENANCE SHALL INCLUDE ANNUALLY PLANTING NEW FLOWERS. PETITIONER SHALL NOT BE OBLIGATED TO REPLACE ANY TREES OR SHRUBS, THE NEIGHBORHOOD ENTRY SIGN, THE 4 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS. THE IRRIGATION SYSTEM OR THE LIGHTING IN THE EVENT THAT ANY SUCH ITEMS ARE DAMAGED OR DESTROYED. IN THE EVENT THAT ANY SUCH ITEMS ARE DAMAGED OR DESTROYED AND REPLACED BY THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION, PETITIONER SHALL RESUME THE NORMAL AND ROUTINE MAINTENANCE OF ANY SUCH ITEMS THAT ARE REPLACED.

c. PETITIONER'S OBLIGATIONS TO INSTALL THE NEW TREES AND SHRUBS ON THE FAIRMEADOWS PARCEL, TO RELOCATE AND REFURBISH THE FAIRMEADOWS NEIGHBORHOOD ENTRY SIGN LOCATED ON THE FAIRMEADOWS PARCEL. TO INSTALL A 4 FOOT TALL BLACK ORNAMENTAL PICKET FENCE WITH BRICK PIERS ON THE FAIRMEADOWS PARCEL, TO INSTALL AN IRRIGATION SYSTEM AND LIGHTING ON THE FAIRMEADOWS PARCEL AND TO MAINTAIN THE SAME TO THE EXTENT PROVIDED HEREIN ARE EXPRESSLY CONDITIONED UPON THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION PROVIDING WRITTEN PERMISSION OR AN EASEMENT. TO THE EXTENT REQUIRED. TO PETITIONER TO PERFORM SUCH WORK. IF PERMISSION SUFFICIENT TO PERMIT PETITIONER ACCESS OR AN EASEMENT IS NOT GRANTED TO PETITIONER, THEN PETITIONER WILL NOT BE OBLIGATED TO PERFORM ANY WORK ON THE FAIRMEADOWS PARCEL. PETITIONER IS REQUIRED TO EXERT REASONABLE AND GOOD FAITH EFFORTS TO OBTAIN THE REQUIRED PERMISSION OR EASEMENT FROM THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION.

d. PETITIONER SHALL CAUSE ALL HOMES OWNED BY PETITIONER IN THE FAIRMEADOWS SUBDIVISION, INCLUDING. WITHOUT LIMITATION, THE HOMES ON TAX PARCEL NOS. 179-051-06, 179-051-05 AND 179-051-04, TO BE MEMBERS OF THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION, AND PETITIONER SHALL PAY OR CAUSE TO BE PAID THE ANNUAL DUES FOR EACH SUCH HOME AT THE SAME RATE OR AMOUNT THAT IS APPLICABLE TO ALL OTHER MEMBERS OF THE FAIRMEADOWS NEIGHBORHOOD ASSOCIATION.

e. FENCES OR WALLS MAY NOT BE INSTALLED IN THE FRONT YARDS OF TAX PARCEL NOS. 179-051-04. 179-051-05 AND

16. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE. ANY REFERENCE TO THE ORDINANCE OR ORDINANCES SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE CITY OF CHARLOTTE ZONING ORDINANCE AND NOT THE UNIFIED DEVELOPMENT ORDINANCE IN PLACE AT THE TIME OF THIS PLAN'S ADOPTION.

17. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

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THE SHARON

REZONING

CHARLOTTE, NC #2024-111

1024045 REVISION / ISSUANCE DESCRIPTION INITIAL REZONING SUBMITT/ PER STAFF 11/11/24 COMMENTS PER STAFF 01/23/25 COMMENTS PER STAFF 02/10/25 COMMENTS VERT: N/A HORZ: AS SHOWN

5 FOOT TALL SCREEN

STATE PROJECT NUMBER W.O. 6.860933

EMERGENCY FIRE TRUCK ACCESS (IF

REQUIRED BY THE FIRE DEPARTMENT

AND APPROVED BY CDOT) A

(RZ-2013-071AA) PROPOSED INDEPENDENT LIVING BUILDING E NOT

DEPICTED ON RZ-1 & RZ-2 (POTENTIAL FUTURE DEVELOPMENT)

ANEW BERM WITH LANDSCAPE

ANEW ORNAMENTAL -

BLACK PICKET FENCE WITH

WITH 5' SIDEWALK

WITH EXISTING TREES OCCUR

BUILDING 'B'

SIDEWALK MEANDERS

A PORTION OF LANDSCAPE TO BE INSTALLED

UPON COMPLETION OF

ENTRY LANDSCAPE; SEE RZ101

A NEW BUILDING AND-PARKING ENVELOPE

EXISTING R/W -

FUTURE R/W ---

ORIGINAL SHEET SIZE: 24" X 36"

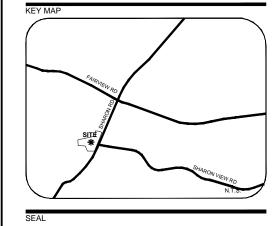
DEVELOPMENT STANDARDS



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THE SHARON

REZONING
CHARLOTTE, NC
#2024-111

ANDDESIGN PROJ.# 1024045				
REVISION / ISSUANCE				
NO.	DESCRIPTION	DATE		
0	INITIAL REZONING SUBMITTAL	09/11/24		
1	PER STAFF COMMENTS	11/11/24		
2	PER STAFF COMMENTS	01/23/25		
3	PER STAFF COMMENTS	02/10/25		
SCALE	No	ORTH		

VERT: N/A HORZ: AS SHOWN

ORIGINAL SHEET SIZE: 24" X 36"

CONCEPTUAL RENDERINGS



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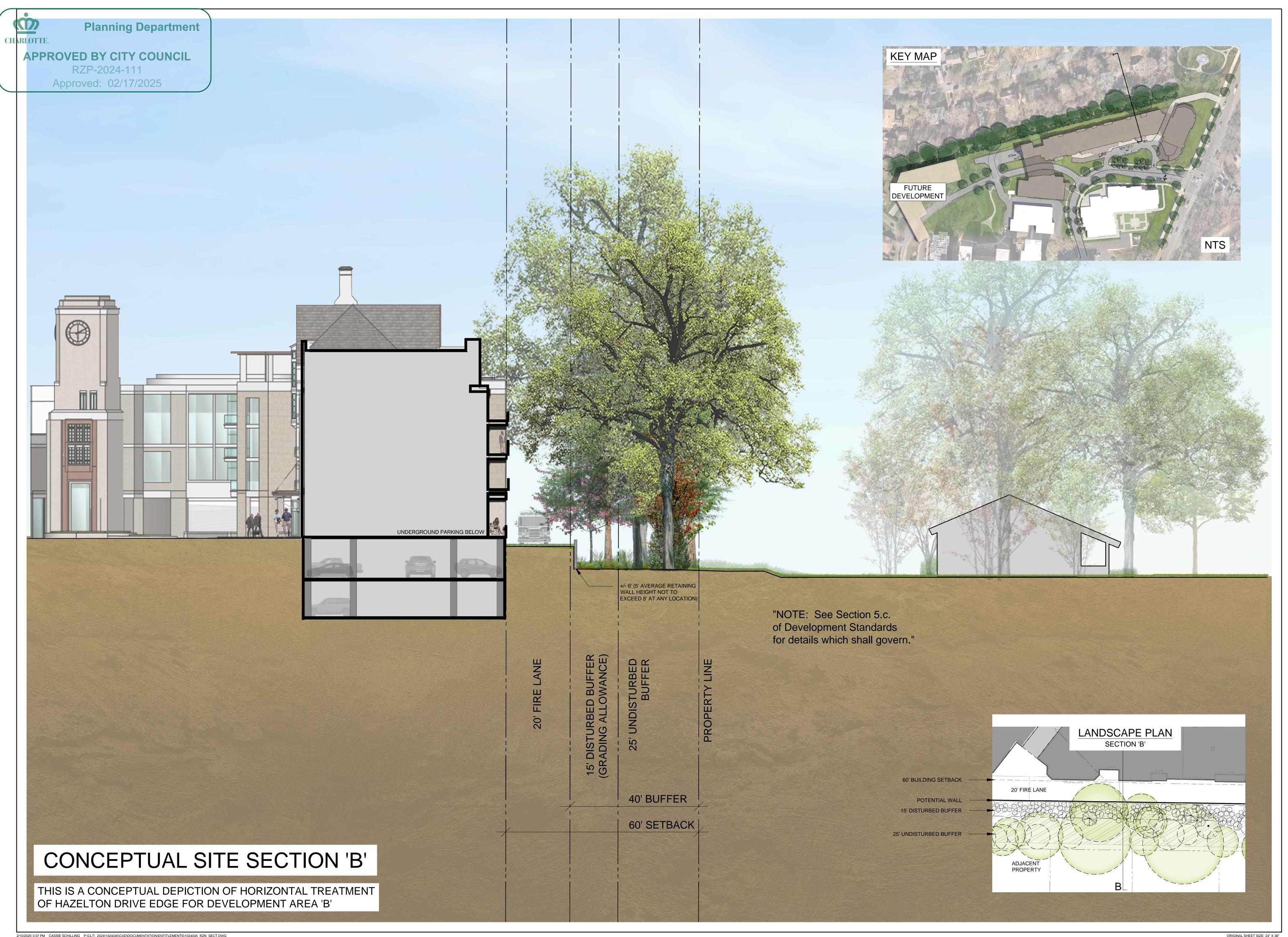
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CHARLOTTE, NC
#2024-111

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3	PER STAFF COMMENTS	02/10/25			

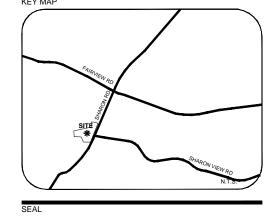
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OPEN SPACE AREA ALONG HAZELTON DRIVE



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THE SHARON

REZONING CHARLOTTE, NC

#2024-111

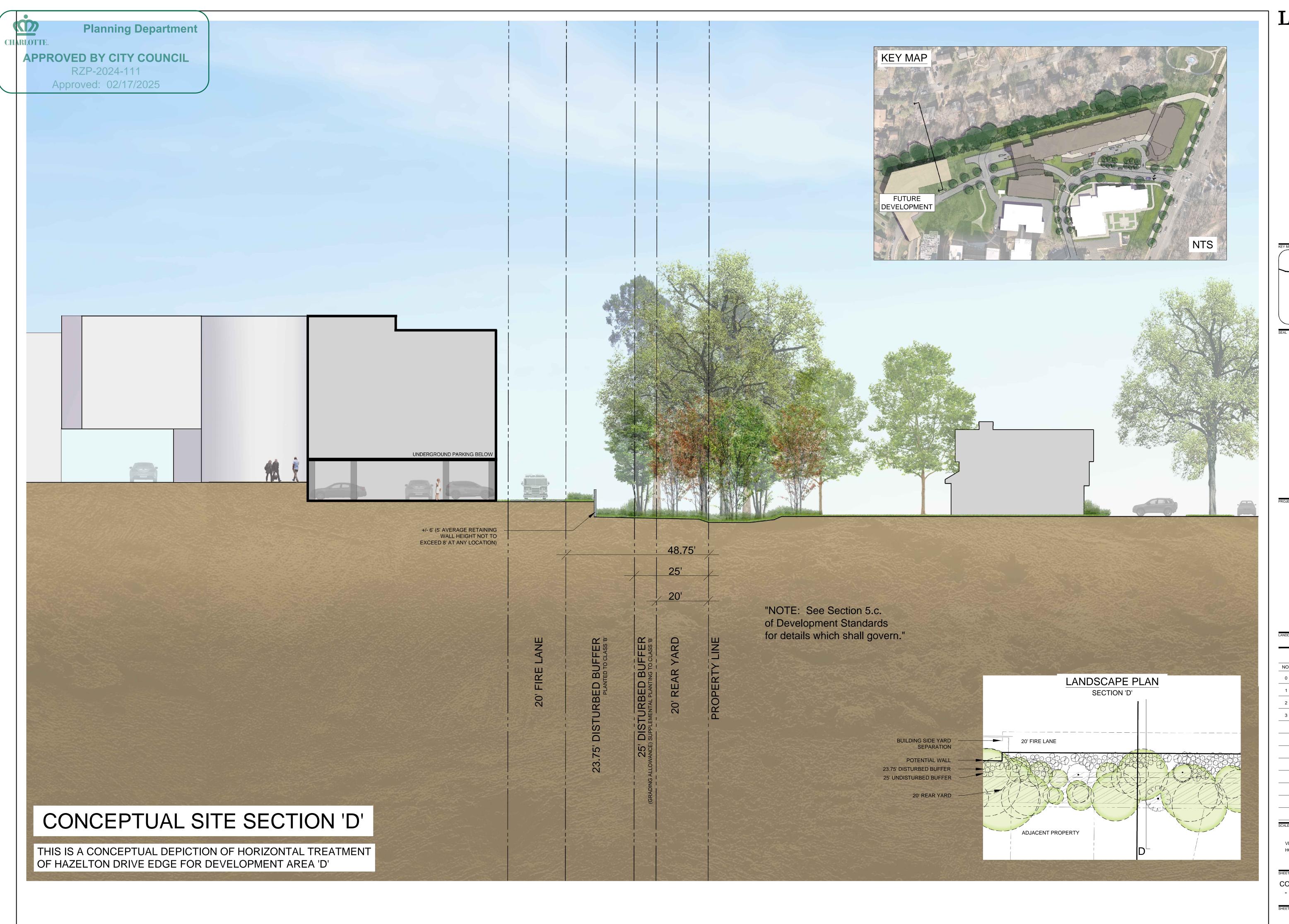
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REVISION / ISSUANCE								
NO.	DESCRIPTION	DATE						
0	INITIAL REZONING SUBMITTAL	09/11/24						
1	PER STAFF COMMENTS	11/11/24						
2	PER STAFF COMMENTS	01/23/25						
3	PER STAFF COMMENTS	02/10/25						

HORZ: AS SHOWN

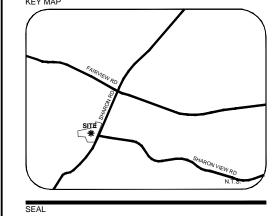
CONCEPTUAL SITE SECTION
- DEVELOPMENT AREA 'B'

RZ-7A



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THE SHARON

REZONING CHARLOTTE, NC

#2024-111

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VERT: N/A HORZ: AS SHOWN

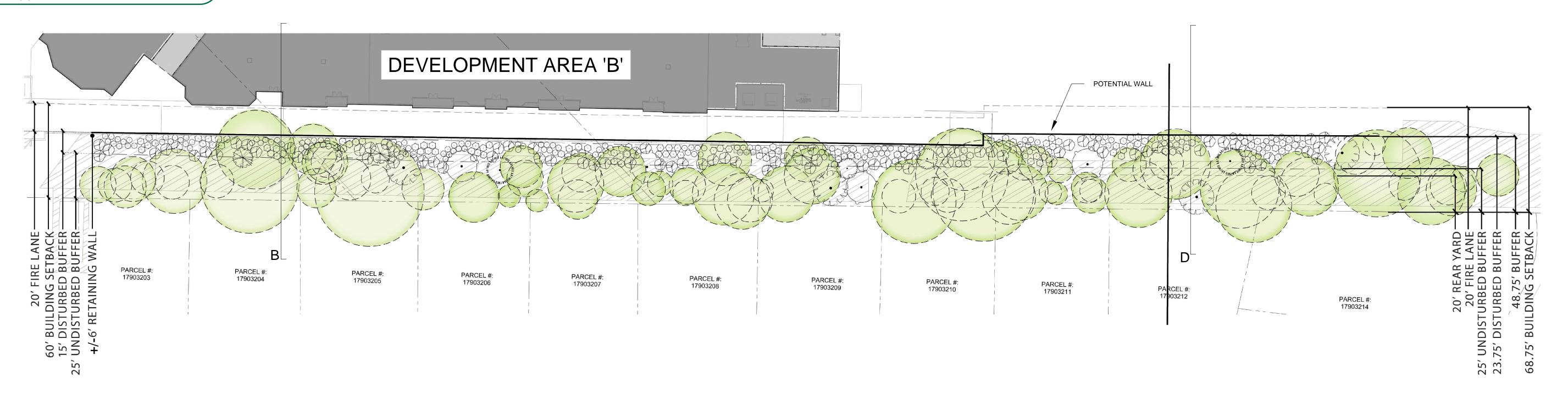
CONCEPTUAL SITE SECTION
- DEVELOPMENT AREA 'D'

RZ-7B

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APPROVED BY CITY COUNCIL OVERALL CONCEPTUAL LANDSCAPE AND TREE PRESERVATION PLAN

Approved: 02/17/2025

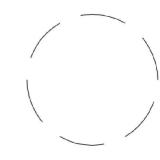


SEAL

EXISTING TREES LEGEND



EXISTING TREES TO REMAIN (approximate)



EXISTING TREES TO BE REMOVED (approximate)

BUFFER DESCRIPTION

Undisturbed Buffer: Preserve all trees except for the clean up of unsightly underbrush or less mature trees of 3" caliper or less. No grading shall take place except in connection with unusual topography or site conditions, fences, required landscaping, and landscape maintanace as set forth in section 5.c.

Disturbed Buffer: Buffer area beyond the 25' undisturbed buffer to include replanting and 6' privacy fence.

40' & 48.75' Total Buffer Area: Combined Disturbed and Undisturbed Buffer planted to Class B buffer standards

Note: Existing trees 7" caliper or less not reflected

CONCEPTUAL SUPPLEMENTAL PLANTING PLAN

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CALIPER	HEIGHT
	ACE SAC	4	Acer saccharum 'Legacy'	Sugar Maple	B&B	2"	10-12`
£ • 33	CER CCA	2	Cercis canadensis	Eastern Redbud	B&B	2"	10-12`
The state of the s	ILEX AT	3	llex x attenuata `Fosteri`	Foster Holly	B&B		8-10`
THE PRINCE OF THE PRINCE	PIN EVI	2	Pinus virginiana	Virginia Pine	B&B		10-12`
	QUER SH	4	Quercus shumardii	Shumard Red Oak	B&B	3" Cal.	14-16`
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
$\overline{}$	ABE GRA	137	Dystilium 'PIIDIST-I' 'Emerald Heights'	Dystilium Emerald Heights	#7	As Shown	24-36"
$\langle \cdot \rangle$	FOR INT	140	Forsythia x intermedia	Border Forsythia		As Shown	24-36"
	VIB LEA	83	Viburnum rhytidophyllum	Leatherleaf Viburnum		As Shown	24-36"

N.T.S.

THE SHARON

REZONING

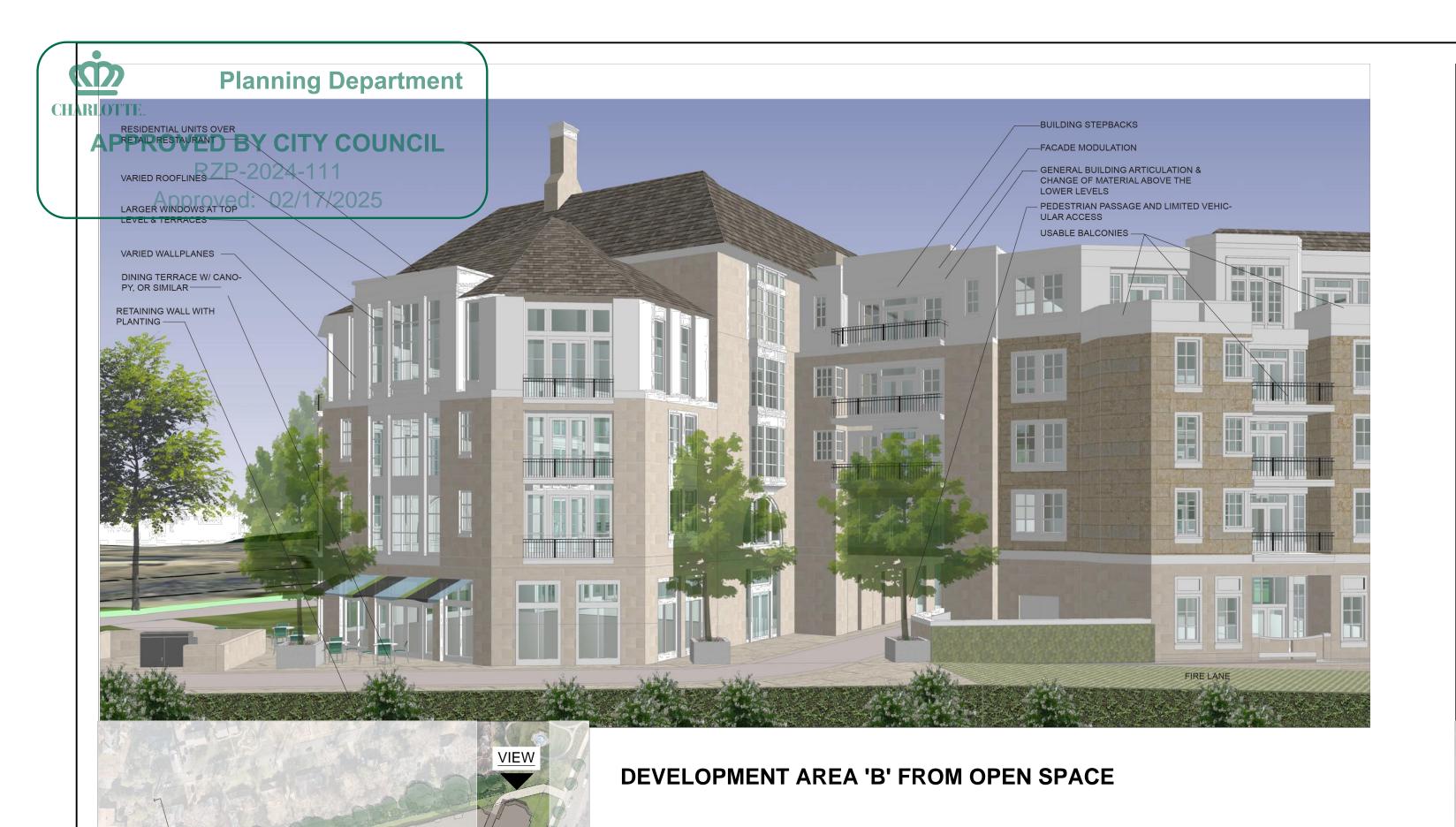
CHARLOTTE, NC

#2024-111

ANDDESI	GN PROJ.# 1024045	
R	EVISION / ISSUA	ANCE
NO.	DESCRIPTION	DATE
0	INITIAL REZONING SUBMITTAL	09/11/2
1	PER STAFF COMMENTS	11/11/2
2	PER STAFF COMMENTS	01/23/2
3	PER STAFF COMMENTS	02/10/2
CALE		IORTH

RI IFFER EYHIF

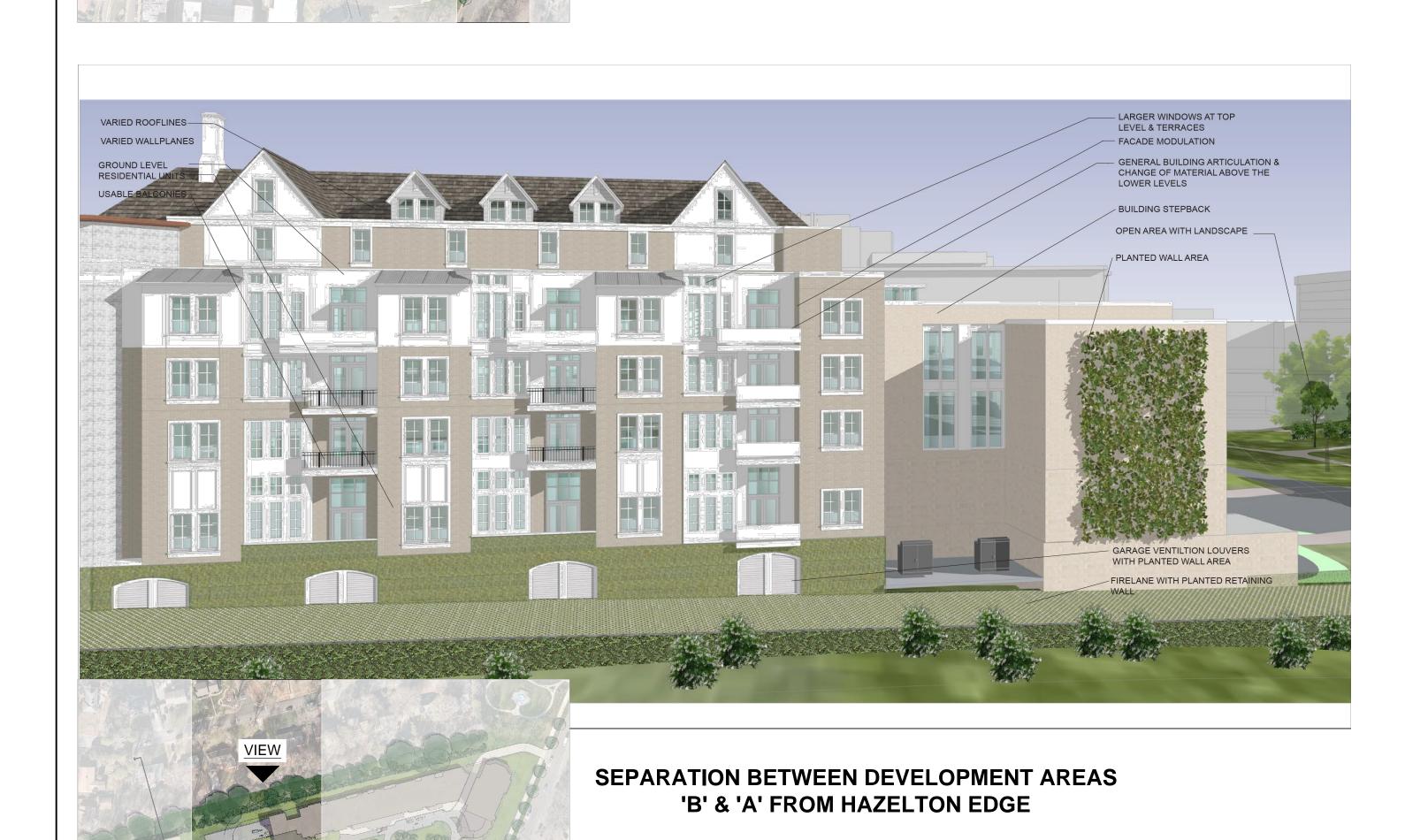
RZ-7B CONT

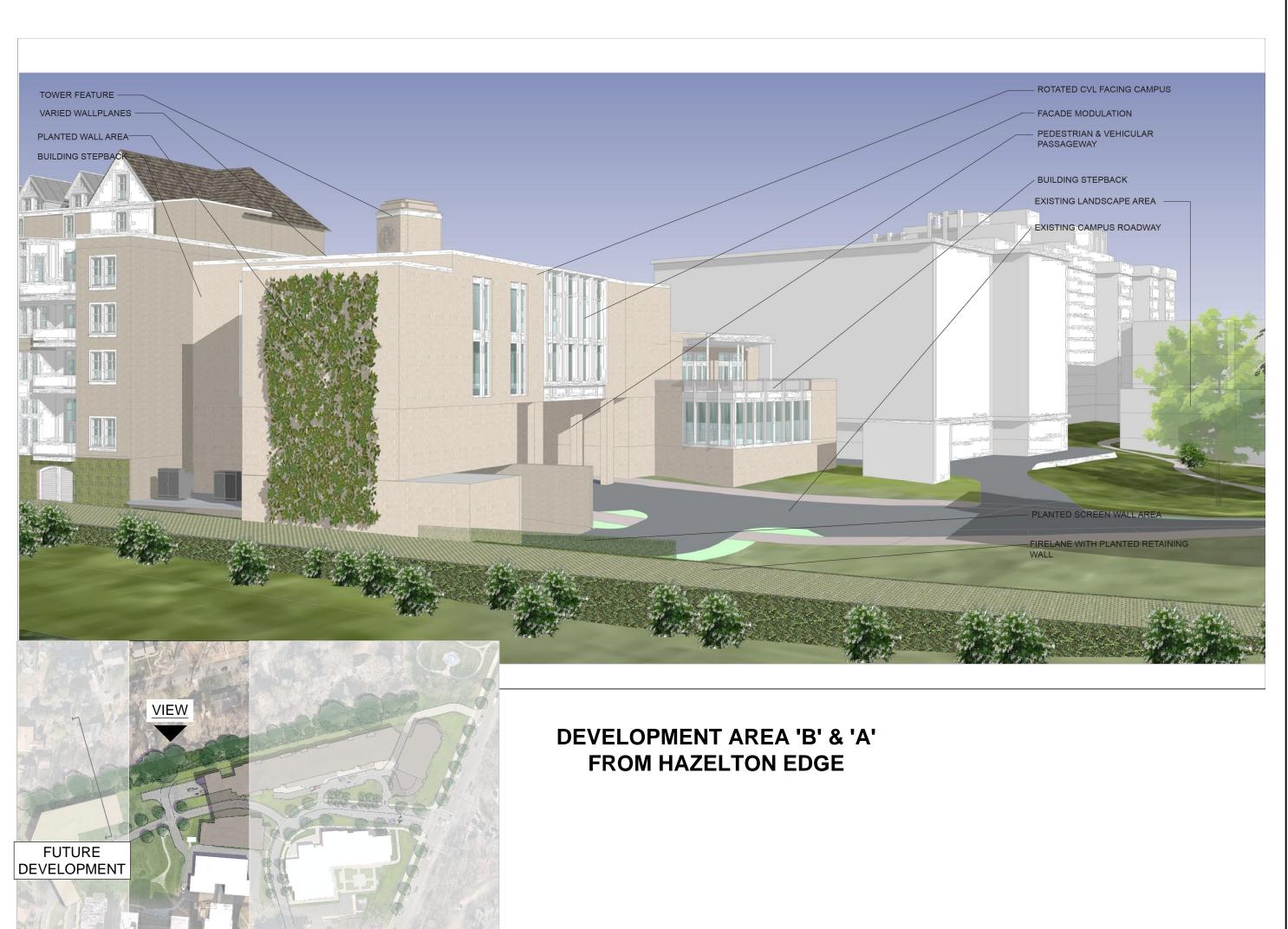




FUTURE DEVELOPMENT







THE SHARON

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> CHARLOTTE, NC #2024-111

REZONING

VERT: N/A HORZ: AS SHOWN

PERSPECTIVES - PORTION
OF DEVELOPMENT AREAS 'B'

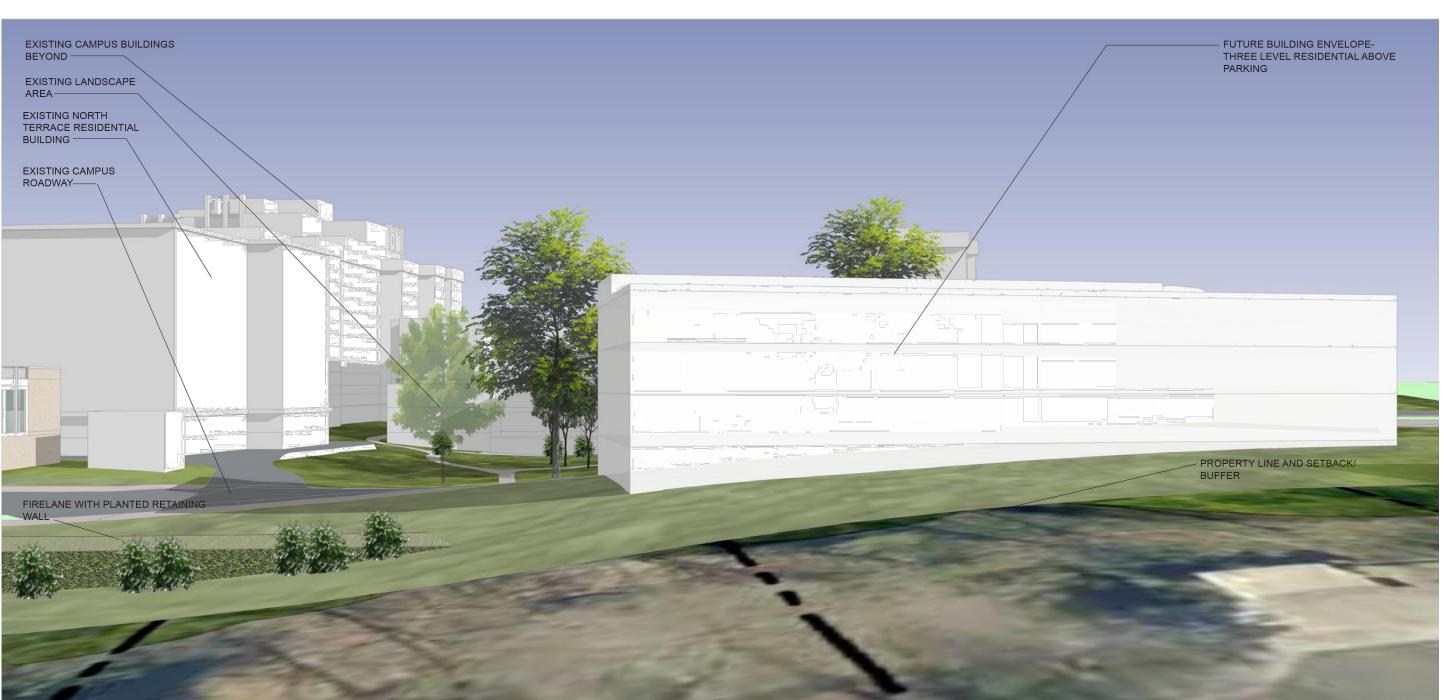
RZ-8A

FUTURE DEVELOPMENT

FUTURE DEVELOPMENT

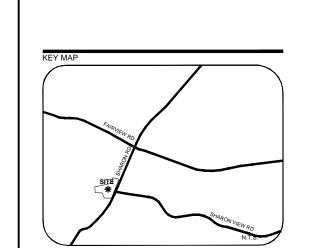


FUTURE DEVELOPMENT **DRIVE**





DEVELOPMENT AREA 'B' & 'A' FROM HAZELTON EDGE



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REZONING CHARLOTTE, NC

#2024-111

1024045 REVISION / ISSUANCE		
0	INITIAL REZONING SUBMITTAL	09/11/
1	PER STAFF COMMENTS	11/11/
2	PER STAFF COMMENTS	01/23/
3	PER STAFF COMMENTS	02/10/

VERT: N/A HORZ: AS SHOWN

SHEET TITLE CONCEPTUAL PERSPECTIVES - PORTION OF DEVELOPMENT AREAS 'C'

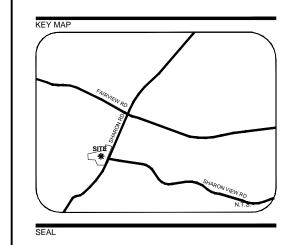
LARGE EVERGREEN

LARGE DECIDUOUS-

SHARON ROAD



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THE SHARON

REZONING CHARLOTTE, NC #2024-111

ANDDESIGN PROJ.# 1024045				
REVISION / ISSUANCE				
NO.	DESCRIPTION	DATE		
0	INITIAL REZONING SUBMITTAL	09/11/24		
1	PER STAFF COMMENTS	11/11/24		
2	PER STAFF COMMENTS	01/23/25		
3	PER STAFF COMMENTS	02/10/25		
CALE NORTH				
VERT: N/A				

NEIGHBORHOOD ENTRY LANDSCAPE

HORZ: AS SHOWN

RZ-9

PLAN VIEW-

- 4' HT. BLACK ORNAMENTAL PICKET FENCE

- APPROXIMATE --LOCATION OF SIGHT DISTANCE TRIANGLE

> HELOCATED NEIGHBORHOOD

SION WITH BRICK

BEDS WITH FLOWERING TREES, GROUNDCOVER,

AND SEASONAL COLOR 4' HT. BLACK ORNAMENTAL

PICKET FENCE WITH BRICK

6" HT. BLACK-OFNAMENTAL PICKET FENCE WITH

BRICK PIERS

WITH BRICK PIERS

NEIGHBORHOOD

ENTRY

LANDSCAPE

Project number: X13016.00 Sheet:

Date: 11.15.2013

4'-0" HIGH POWDER COAT ALUMINUM FENCE (BLACK)

30'-0" (TYPICAL)

FENCE ELE VATION: TYPICAL 4'-0" HIGH SECTION

- BRICK COLUMN TO MATCH EXISTING BUILDING

w/ CAST IN PLACE CONCRETE CAP

SCALE: 1/4" = 1'-0"



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Stewart & Conners Architects, PLLC

3731 Latrobe Drive Charlotte, NC 28211 704.365.3941 phone 704.365.3942 fax

title: Sharon Towers

location: 5100 Sharon Road Charlotte, NC 28210

CONSTRUCTION DOCUMENTS

seals:

THE SHARON

REZONING

CHARLOTTE, NC

#2024-111

1024045

REVISION / ISSUANCE

11/11/24

01/23/25

02/10/25

DESCRIPTION INITIAL REZONING

> COMMENTS PER STAFF

COMMENTS PER STAFF

COMMENTS

© 2013 by Stewart & Conners Architects, PLLC sca project number: 22-01-600 11-12-2013

> checked by: drawn by: revisions:

(REVISED PER PLANNING COMMENTS)



BACK ELEVATION: PROPOSED INDEPENDENT LIVING BUILDING (BUILDING "E" ONLY)

Attached to Administrative

Approval

Solomon A. Fortune

- BRICK COLUMN TO MATCH EXISTING BUILDING

w/ Cast in place concrete cap

SCALE: 1/4" = 1'-0"

/--6'-0" HIGH POWDER COAT ALUMINUM FENCE (BLACK)

30'-0" (TYPICAL)

FENCE ELE VATION: TYPICAL 6'-0" HIGH SECTION

SCHEMATIC DESIGN

BACK ELEVATION PROPOSED INDEPENDENT LIVING BUILDING

sheet number:

2206200_RZ-200

VERT: N/A HORZ: AS SHOWN

INDEPENDENT LIVING BUILDING ELEVATIONS

RZ-10

ORIGINAL SHEET SIZE: 24" X 36"