

Charlotte Planning Department

APPROVED BY CITY COUNCIL
RZP-2022-133
Approved: 05/15/2023

VICINITY MAP

Site Development Data:

Acreage:	+/- 18.4 AC
Tax Parcel:	025-091-24 & 025-091-44
Existing Zoning:	CC
Proposed Zoning:	MUDD-O
Existing Uses:	Parking and Vacant
Proposed Uses:	Residential Uses and Surface Parking
Proposed Dwelling Units:	292 Units in Dev. Area B
Required Tree Save:	Site will comply with the Tree Ordinance

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Dusan Peric
Paramount Development

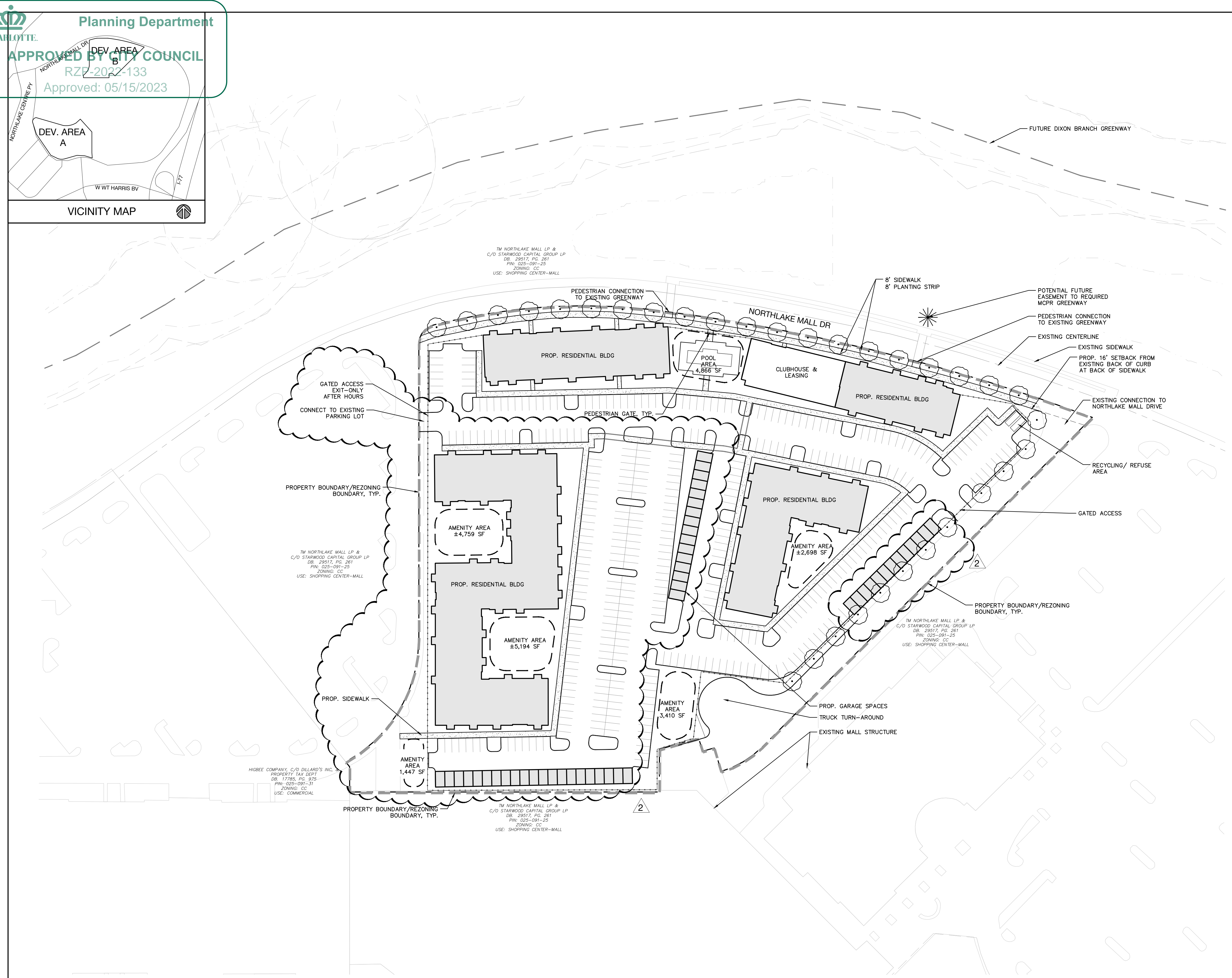
Northlake Multi-Family

Rezoning Site Plan
Northlake Mall Drive Charlotte, NC 28216

NO.	DATE	BY:	REVISIONS:
1	02/14/2023	UDP	PER PLANNING COMMENTS
2	04/20/2023	UDP	PER PLANNING COMMENTS

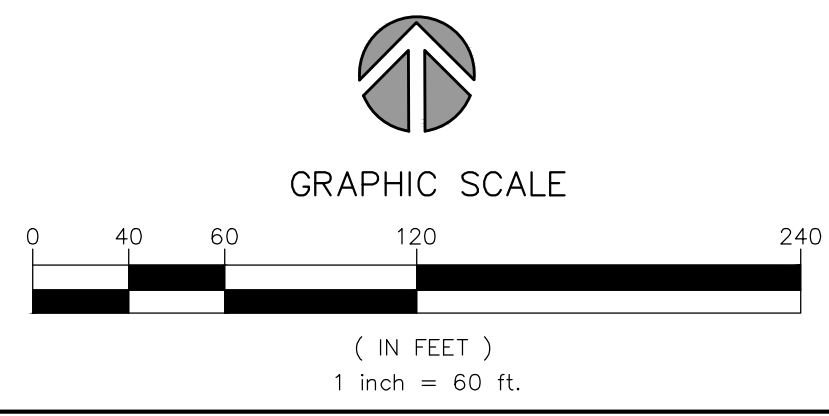
Project No: 21-CLT-144
Date: 06.24.2022
Designed By: UDP
Checked By: UDP
Sheet No:

RZ-2.0



REZONING PETITION #2022-133

DEVELOPMENT AREA B



APPROVED BY CITY COUNCIL
 Existing Zoning: 09
 Proposed Zoning: MUDD-O
 Existing Uses: Parking and vacant
 Project No: 2022-133
 Review Date: 05/15/2023

Permitted Uses and Surface Parking as permitted by right and under prescribed conditions together with accessory uses as allowed in the MUDD zoning district and as described in more detail in Section 2 below.

Maximum Gross Square Feet/ Units of Development: A maximum of [604] residential dwelling units composed of multi-family dwellings units as allowed by the MUDD district and the Optional provisions.

Maximum Building Height: Building height shall be limited to a maximum height of 62 feet. Building height will be measured as defined by the Ordinance.

Parking: As required by the Ordinance. The Petitioner will provide a minimum of six (6) Electric Vehicle (EV) charging stations within each multi-family community. The six (6) charging stations will have a Level 2 Electrical Vehicle Supply Equipment charging station installed (EVSE-installed; installation of a Level 2 electrical vehicle charging station).

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 filed by Paramount Development, LLC (the "Petitioner") to accommodate development of two residential community on the approximately 18.4-acre site located on the north and south sides of Northlake Mall 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 (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 MUDD zoning classification shall govern all development taking place on the Site, subject to the provisions provided below.

c. Development Areas. For ease of reference and as an organizing principal associated with the master planned unified development, the Rezoning Plan sets forth two (2) development areas (and as applicable other sub-area within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas"). 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 site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

e. Planned/Unified Development. The Site shall be viewed as a planned/unified development plan as to the Development/Site Elements, the adjoining Northlake Mall 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, the adjoining Northlake Mall 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 Northlake Mall property 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 therein.

f. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the number of buildings connected on the site is not limited by this graphic illustration of buildings indicated on the rezoning plan.

g. Development Areas. For ease of reference and as an organizing principal associated with the two residential communities, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A, and B (each a "Development Area" and collectively the "Development Areas").

Optional Provisions:
 a. The Petitioner requests the optional provision to allow a limited amount of surface parking areas and maneuvering for parking areas to be located between the proposed structures and Northlake Mall Drive within Development Area A as generally depicted on the rezoning plan.

Permitted Uses and Development Area Limitations:
 a. A maximum of 604 residential dwelling units composed of multi-family dwellings units, as allowed by the MUDD zoning district are allowed on the Site as well as a surface parking lot to serve Northlake Mall.

b. Within Development Area A, up to 312 multi-family residential dwelling units and a surface parking lot for Northlake Mall, and within Development Area B, up to 292 multi-family residential dwelling units; as allowed by right, and under prescribed conditions, together with accessory uses as permitted in the MUDD zoning district, including, without limitation, community clubhouse, open space and related uses.

Transportation Improvements, & Access:
 The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

a. The following roadway improvements will be made by the Petitioner as part of the development of the Site as proposed by the Rezoning Plan in accordance with the phasing described below (the applicable roadway improvements shall be provided in connection with the applicable Phased development levels set forth in Section 4.11.b below):

I. Proposed Improvements.
 a. Northlake Centre Parkway & Northlake Mall Drive/Madison Square Place (Signalized)
 i. No suggested improvements.

b. Northlake Centre Parkway & Northlake Mall Access (Signalized)
 i. No suggested improvements.

c. W.W.T. Harris Boulevard & Reames Road/Northlake Centre Parkway (Signalized)
 i. No suggested improvements.

d. W.W.T. Harris Boulevard & Perimeter Parkway (Signalized)
 i. No suggested improvements.

e. W.W.T. Harris Boulevard & I-77 SB Ramps (Signalized)
 i. No suggested improvements.

f. W.W.T. Harris Boulevard & I-77 NB Ramps (Signalized)
 i. No suggested improvements.

g. Northlake Mall Drive & Perimeter Parkway (Unsignalized)
 i. Maintain the existing northbound ingress lane on Perimeter Parkway.
 ii. Construct one southbound egress lane (a shared left/thru/right lane) with a median to ensure northbound/southbound lane alignment on Perimeter Parkway.
 iii. The final design of this driveway including its location and configuration to be done in conjunction with CDOT during permitting.

II. Standards, Phasing and Other Provisions.
 a. CDOT and NCDOT Standards. 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 northwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project.

b. All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The Petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.

c. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.11 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.11.a above 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 occupancy for building(s) on the Site, then CDOT or NCDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Right-of-way Availability. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, it is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise 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. Furthermore, in the event public roadway improvements referenced in subsection a. above 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 described above, then the CDOT or NCDOT will 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 roadway improvements; 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 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 implement traffic mitigation in lieu of the improvements impacted by the lack of right of way as described in subsection g. below; or (ii) contribute to CDOT or NCDOT as applicable, an amount equal to the estimated cost of the road 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 Petitioner, the CDOT or NCDOT as applicable.

e. 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, the additional right-of-way to be dedicated prior to the issuance of the first certificate of occupancy. Petitioner will provide a permanent sidewalk utility easement for any of the proposed sidewalks/multi-use path located along the public streets located outside of the right-of-way where ROW dedication is not provided. The permanent sidewalk utility easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

f. Alternative Improvements. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination 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 improvements identified in this Petition in the overall area of the rezoning.

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 subsection (d) above.

Access, and Pedestrian Circulation:
 a. Access to the Site will be from Northlake Mall Drive as generally depicted on the Rezoning Plan. The access points into each Development Area may be gated.

b. The Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk along Northlake Mall Drive as generally depicted on the Rezoning Plan.

c. The Petitioner will provide an internal network of sidewalks within each Development area connecting the proposed buildings to the Northlake Mall Drive.

d. The number and location of access points to the internal 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.

e. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

f. 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

Architectural and Site Standards:
 a. The principal buildings constructed on the Site (Development Areas A and B) may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS or wood. The proposed roofing materials will be architectural asphalt shingles, metals type roofing materials may also be used. Vinyl or aluminum as a primary building material will not be allowed except on windows, balcony railings, on trim elements, and soffits.

b. Preferred Exterior Building Materials: All principal and accessory buildings, located in Development Area A and B, abutting Northlake Mall Drive shall comprise a minimum of 30% of that building's entire facade facing such street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

c. Building Massing - Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (recess, projection, architectural treatment, etc.). Modulations shall be a minimum of 8 feet wide and shall extend or recess a minimum of 4 feet, extending through all floors.

d. Vertical Modulation and Rhythm - Building elevations shall be designed with recognizable vertical bays or articulated architectural facade 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.

e. Building Base - Buildings shall be designed with a recognizable architectural base.

f. Building elevations facing Northlake Mall Drive shall not have expanses of blank walls greater than 20 feet.

g. 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.

h. Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards:
 (i) 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.).
 (ii) 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.

i. Utility structures need to be screened architecturally or with evergreen plant material.

j. Walls, but not including site retaining walls, shall be designed to match and complement the building architecture of the residential buildings of the subject property.

k. Meter banks will be screened from adjoining properties and from the network required streets.

l. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

m. Dumpster and recycling area will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal buildings. The location of the proposed dumpster and recycling area is generally depicted on the Rezoning Plan

n. The Petitioner may construct a decorative aluminum fence along the perimeter of each Development Area as generally depicted on the Rezoning Plan.

o. Petitioner will construct a 12-foot sidewalk through Development Area A that will provide a connection between the perimeter retail area and the main Mall building as generally depicted on the Rezoning Plan.

p. Pedestrian gates constructed as part of the perimeter fence for Development Area A that control access to the proposed 12-foot internal sidewalk that connects the Mall to the perimeter retail area will remain open and unlocked daily between the hours of 8:00am and 6:00pm.

Environmental Features:
 a. The Site will comply with the requirements of the City of Charlotte Tree Ordinance and the City Post Construction Stormwater Ordinance.

Open Space:
 a. Open space and an amenity area(s) will be provided within each Development Area. A minimum of 10,000 square feet of improved open space will be provided within each Development Area at a location that central to each Development Area and convenient to the future residents of the community. 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. These improved open space areas will be used to meet the Urban Open Space requirements of the Ordinance.

Connection to Future Greenway:
 a. The Petitioner will provide a pedestrian connection from Development Area B to the existing crosswalks on Northlake Mall Dr to facilitate a future pedestrian connection to Dixon Branch greenway located to the north of Development Area B as generally depicted on the Rezoning Plan.

b. The Petitioner will use its best efforts to secure an easement from the owner of the property located between Northlake Mall Drive and Dixon Branch. The easement would be conveyed to Mecklenburg County for the construction, by the County, of a future greenway trail connection between Northlake Mall and Dixon Branch Greenway.

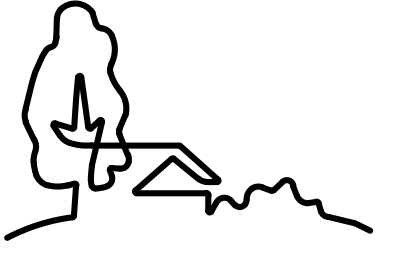
c. The Petitioner will provide a publicly accessible pocket park along the boundary of Development Area A as generally depicted on the Rezoning Plan. The pocket park will be improved with seating, lighting, hardscape, and landscaping. A minimum of 3,000 square feet of publicly accessible pocket park will be provided.

Signage:
 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 use in Development Areas A and B, and vice-versa.

Lighting:
 a. All new lighting shall be decorative, capped, or downwardly directed.
 b. Detached lighting on the Site, except streetlights located along public streets, will be limited to 25 feet in height.

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 or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

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.



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