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CARMEL ROAD

CHARLOTTE, NC REZONING #2021-086

REVISION / ISSUANCE NO. DESCRIPTION INITIAL SUBMITTAL 2 PER STAFF COMMENTS 08.23.21 3 PER STAFF COMMENTS 09.23.21

DESIGNED BY: DM / AS DRAWN BY: CS/ AS CHECKED BY: DM

ARCHITECURAL ELEVATION

RZ-3

SITE DEVELOPMENT DATA: --ACREAGE: ± 4.50 ACRES

--TAX PARCEL #: 209-241-45 --EXISTING ZONING: MUDD-O

--PROPOSED ZONING: MUDD-O SPA -- EXISTING USES: COMMERCIAL/VACANT

--PROPOSED USES: UP TO 305 MULTI-FAMILY RESIDENTIAL DWELLING UNITS, AND UP TO 3,500 SQUARE FEET OF NON-RESIDENTIAL USES, AS ALLOWED BY-RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT.

 $ilde{oldsymbol{\mathsf{A}}}$ MAXIMUM BUILDING HEIGHT: NOT TO EXCEED 75 FEET FOR BUILDING $ilde{oldsymbol{\mathsf{F}}}$ AND NOT TO EXCEED 70 FEET FOR BUILDING $ilde{oldsymbol{\mathsf{F}}}$ #1. HEIGHT TO BE MEASURED AS REQUIRED BY THE OKOMANOE. -PARKING: PARKING AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED. (IN-STREET PARKING LOCATED ALONG THE INTERIOR PRIVATE STREETS WILL NOT BE USED TO MEET WILLIAM ORDINANCE PARKING REQUIREMENTS.

GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING SITE PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY JAG DEVELOPMENT CO., LLC TO ACCOMMODATE DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL COMMUNITY WITH GROUND FLOOR NON-RESIDENTIAL USES ON AN APPROXIMATELY 4.50-ACRE SITE LOCATED AT 6300 CARMEL ROAD (THE "SITE").

b. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN INCLUDING THE OPTIONAL PROVISION(S) IN SECTION 2 BELOW, AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). WHERE THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THAN THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION AS MODIFIED BY THE OPTIONAL PROVISIONS BELOW, THE REZONING PLAN BELOW SHALL GOVERN THE DEVELOPMENT TAKING PLACE ON THE SITE.

c. REZONING PLAN. THIS REZONING PETITION REFERS TO VARIOUS DOCUMENTS/DRAWINGS INCLUDING THESE DEVELOPMENT STANDARDS, THE PLANTING PLAN, TECHNICAL DATA SHEET, SCHEMATIC STIE PLAN AND ELEVATIONS (COLLECTIVELY THE "REZONING PLAN"). ALL SUCH ITEMS ARE CONSIDERED INTEGRAL COMPONENTS OF THIS REZONING PETITION AND REFERRED TO COLLECTIVELY AS THE "REZONING PLAN."

d. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS INTENDED TO DESCRIBE THE GENERAL ARRANGEMENTS OF BUILDINGS AND SITE ELEMENTS AND DESCRIBES THE USES ALLOWED ON THE SITE. 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 MINOR 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 AND GENERAL LOCATION 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.

2. OPTIONAL PROVISIONS:

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE DEVELOPMENT OF THE SITE:

a. TO ALLOW MANEUVERING BETWEEN THE PROPOSED BUILDINGS AND THE PRIVATE STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. TO ALLOW PARKING BETWEEN THE PROPOSED BUILDING AND CARMEL ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN (EXISTING PARKING AREAS BETWEEN PROPOSED ROAD BAND CARMEL RD.).

3. PERMITTED USES & DEVELOPMENT AREA LIMITATION

a. THE SITE MAY BE DEVELOPED WITH UP TO 305 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND UP TO 3.500 GROSS SQUARE FEET OF NON-RESIDENTIAL USES AS ALLOWED BY-RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT.

b. AS PART OF THE DEVELOPMENT OF THE SITE THE PETITIONER WILL CONSTRUCT A MINIMUM OF 3,000 GROSS SQUARE FEET OF THE ALLOWED NON-RESIDENTIAL USES, NOT INCLUDING NON-RESIDENTIAL AREAS ASSOCIATED WITH THE RESIDENTIAL COMMUNITY (E.G. LEASING OFFICE AMENITY SPACES). ON THE GROUND FLOOR OF THE PROPOSED RESIDENTIAL BUILDINGS ALONG THE PROPOSED PRIVATE STREETS.

c. THE PETITIONER WILL ALSO LOCATE MOST OF THE NON-RESIDENTIAL AREAS ASSOCIATED WITH THE MULTI-FAMILY COMMUNITY (E.G. LEASING OFFICE, AMENITY AREAS) ON THE GROUND FLOOR ALONG THE PROPOSED PRIVATE STREETS AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. STRUCTURED PARKING FACILITIES MAY BE LOCATED ON THE SITE. THE PARKING STRUCTURE LOCATED WITHIN BUILDING #1 WILL BE DESIGNED TO NOT HAVE AN EXPOSED ELEVATION. THE PARKING PROPOSED AS PART OF BUILDING #2 WILL BE DESIGNED TO MEET MUDD STREET WALL STANDARDS ALONG THE PROPOSED THE PRIVATE

e. OTHER THAN SURFACE PARKING LOCATED BETWEEN PROPOSED ROAD B AND CARMEL RD. AND PARALLEL PARKING ALONG THE INTERIOR PRIVATE STREETS NO OTHER SURFACE PARKING AREAS WILL BE ALLOWED ON THE

4. TRANSPORTATION/ACCESS NOTES:

a. ACCESS TO THE SITE WILL BE FROM CARMEL POAD VIA THE EXTENSION OF CARMEL CENTER DRIVE, AN EXISTING PRIVATE STREET, AND FROM EXISTING DRIVEWAY ROAD A AS SHOWN AND AS ALL GENERALLY DEPICTED ON THE

b. THE PETITIONER WILL EXTEND CARMEL CENTER DRIVE AS A PRIVATE STREET BUILT TO LOCAL COMMERCIAL WIDE STREET STANDARDS TO THE WESTERN PROPERTY BOUNDARY AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER WILL ALSO EXTEND A NEW PRIVATE STREET BUILT TO LOCAL COMMERCIAL WIDE STREET STANDARDS FROM CARMEL CENTER DRIVE TO THE NORTHERN PROPERTY BOUNDARY (ROAD B) AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER WILL MAINTAIN ACCESS VIA ROAD A TO THE PROPERTY BOUNDARY FOR USE BY THE TENANTS AND RESIDENTS DOCATED ON THE SITE SUBJECTATION OF THE EASEMENT WITH THE ADJOINING PROPERTY OWNER. THE PETITIONER WILL NOT SEEK TO TERMINATE THE EXISTING ACCESS EASEMENT FOR ROAD A.

c. A PUBLIC ACCESS EASEMENT WILL BE PROVIDED OVER EACH OF THE PROPOSED PRIVATE STREETS. THE ACCESS EASEMENT WILL ALSO ALLOW FOR THE EXTENSION OF THE PRIVATE STREETS ON TO THE ADJOINING PROPERTIES BY OTHERS. THE PETITIONER WILL ALLOW FOR THE EXTENSION OF THE PROPOSED PRIVATE STREETS WHEN REQUESTED.

d. 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.

e. ANY REQUIRED ROADWAY IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY SUBJECT TO THE PETITIONER ABILITY TO REQUEST THAT A BOND OR LETTER OF CREDIT BE POSTED FOR ANY IMPROVEMENTS NOT IN PLACE OR COMPLETED AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

f. THE ROADWAY IMPROVEMENTS SPECIFIED BY THE PRIOR REZONING PETITION FOR THE SITE (2017-021) HAVE BEEN COMPLETED AS PART OF THE FIRST PHASE OF DEVELOPMENT ALLOWED BY THE APPROVED REZONING PETITION.

g. ON-STREET PARKING LOCATED ALONG THE INTERIOR PRIVATE STREETS WILL NOT BE USED TO MEET MINIMUM ORDINANCE PARKING REQUIREMENTS

ARCHITECTURAL STANDARDS:

a. THE EXTERIOR BUILDING MATERIALS USED ON THE BUILDINGS TO BE CONSTRUCTED ON SITE WILL BE A

COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), HARD-COAT STUCCO, AND/OR WOOD, VINYL AS A BUILDING MATERIAL ON THE NEW BUILDINGS TO BE CONSTRUCTED ON THE SITE MAY ONLY BE USED ON WINDOWS, SOFFITS, TRIM AND RAILINGS.

b. THE PROPOSED BUILDING WILL BE DESIGNED AND CONSTRUCTED SO THAT EACH BUILDING ELEVATION(S) THAT ABUT/FACE AN EXISTING OR PROPOSED PUBLIC OR PRIVATE STREET WILL HAVE AT LEAST 35% MASONRY MATERIALS (E.G. BRICK, NATURAL STONE, (OR ITS SYNTHETIC EQUIVALENT) PRECAST STONE, PRECAST CONCRETE OR HARD-COAT STUCCO (THE "PREFERRED EXTERIOR BUILDING MATERIALS") EXCLUSIVE OF WINDOWS, DOORS AND ROOFS. THE ELEVATIONS OF THE BUILDINGS THAT DO NOT ABUT/FACE A PRIVATE OR PUBLIC STREET WILL ALSO HAVE MASONRY MATERIALS BUT TO A LESSER EXTENT.

c. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

i. BUILDINGS SHALL BE PLACED TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE) AS GENERALLY DEPICTED ON THE REZONING PLAN.

ii. BUILDINGS SHALL FRONT A MINIMUM OF 75% OF THE TOTAL STREET FRONTAGE ALONG IN THE INTERNAL PRIVATE STREETS (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).

d. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS: BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH THE BUILDING.

e. THE ATTACHED ILLUSTRATIVE BUILDING ELEVATIONS ARE INCLUDED TO REFLECT AN ARCHITECTURAL STYLE AND A QUALITY OF THE BUILDING THAT THE PETITIONER OR DEVELOPER OF RECORD, WILL MAKE A REASONABLE EFFORT TO CONSTRUCT ON THE SITE (AS PER THE BUILDING ELEVATIONS INCLUDED IN THE REZONING PLAN), RECOGNIZING THAT THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM THE ATTACHED ELEVATIONS IN NON-MATERIAL RESPECTS AS LONG AS THE GENERAL DESIGN INTENT IS RETAINED.

f. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS

i. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.

ii. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES.

iii. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS, THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF LIVING AREAS); AND (II) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION, ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.

iv. BUILDING ELEVATIONS THAT ABUT/FRONT ON THE PROPOSED PRIVATE OR PUBLIC STREET WILL BE DESIGNED TO HAVE A MINIMUM OF 20% GLAZING.

g. THE PEDESTRIAN CROSSINGS ON SITE WILL BE DESIGNED TO INCORPORATE HIGH VISIBILITY MARKINGS, OR VARIED PAVING OR PAVERS, SIGNAGE, AND LIGHTING SO THAT THESE CROSSINGS ARE VISIBLE TO MOVING VEHICLES DURING DAY LIGHT AND NIGHTTIME HOURS.

h. INTERNAL SIDEWALK CONNECTIONS SHALL BE PROVIDED BETWEEN BUILDINGS AND FROM BUILDINGS TO ALL PUBLICLY ACCESSIBLE ON-SITE FACILITIES (PARKING AREAS, BICYCLE FACILITIES, OPEN SPACE, ETC.) AND ABUTTING OR ADJACENT PARKS, GREENWAYS, BIKEWAYS, TRAILS, DEVELOPMENTS, AND TRANSIT STOPS, INTERNAL SIDEWALKS SHALL BE HARD SURFACED AND AT LEAST 5 FEET IN WIDTH UNLESS CONNECTING TO FOUR UNITS OR LESS.

i. FENCES OR WALLS USED FOR SCREENING SHALL BE CONSTRUCTED IN A DURABLE FASHION OF SPLIT FACE BLOCK, STONE, OTHER FINISHED MASONRY MATERIALS, METAL OR OTHER MATERIALS SPECIFICALLY DESIGNED AS FENCING MATERIALS

SERVICE EQUIPMENT SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE ARE SCREENED FROM VIEW FROM PUBLIC STREETS WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL BE SOLID MASONRY OR STONE WALL WITH ONE SIDE CONTAINING A DECORATIVE GATE. THE WALL USED TO ENCLOSE THE AREA WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE BUILDINGS.

k. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

i. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR

ii. FOR PITCHED ROOFS (NOT INCLUDING DETAILS THAT MAY INCLUDE CRICKETS, TOWERS OR OTHER ELEMENTS THAT SLOPE BACK TO THE PRIMARY ROOF) THE MINIMUM (4:12), EXCLUDING BUILDINGS WITH A FLAT ROOF AND

iii. ALL ROOFTOP MECHANICAL EQUIPMENT ON BUILDINGS SHALL BE SCREENED FROM PUBLIC VIEW FROM BELOW BY INTEGRATING THE EQUIPMENT INTO THE BUILDING AND ROOF DESIGN TO THE MAXIMUM EXTENT FEASIBLE, USING PARAPET WALLS OR SIMILAR ARCHITECTURAL TREATMENTS. iv. FOR FLAT ROOFS, A PARAPET EXTENDS ABOVE THE ROOF PLANE AND INCLUDE AN ELEMENT THAT PROVIDES A

VISUAL TERMINATION OF THE FAÇADE. I. VENTILATION GRATES LOCATED AT THE FIRST-FLOOR LEVEL IN THE BUILDING FACADE ORIENTED TO ANY PUBLIC

m. THE PROPOSED PARKING STRUCTURE WILL BE INTEGRATED INTO THE DESIGN OF THE BUILDING. PARKING SPACES LOCATED WITHIN THE PARKING STRUCTURE OF BUILDING #2, IF VISIBLE FROM THE ADJOINING PUBLIC OR PRIVATE STREETS (ROAD C'AND CARMEL CENTER DRIVE), WILL BE SCREENED ON ALL LEVELS VISIBLE FROM THE ADJOINING STREETS BY DESCRATIVE ARCHITESTUBAL CONVERS OR GRATES SO THAT VEHICLES ARE NOT DIRECTLY VISIBLE. THE EXTERIOR BUILDING FINISHES USED ON THE UPPER FLOORS OF BUILDING #2 WILL START AT THE ROUND LEVEL AND WILL BE INCORPORATED INTO THE DESIGN OF THE PARKING STRUCTURE.

n. METER BANKS WILL BE SCREENED.

STREET MUST BE DECORATIVE.

o. HVAC AND RELATED MECHANICAL EQUIPMENT LOCATED ON THE ROOF OF THE BUILDINGS OR AT THE BASE ON THE BUILDINGS WILL BE SCREENED FROM PUBLIC VIEW.

p. A DUMPSTER AND RECYCLING AREA MAY BE LOCATED AT THE END OF THE EXISTING PRIVATE STREET AS GENERALLY DEPICTED ON THE REZONING PLAN: AND/OR DUMPSTER AND RECYCLING AREAS MAY BE LOCATED WITHIN STRUCTURED PARKING FACILITIES OR WITHIN THE INTERIOR OF A BUILDING LOCATED ON THE SITE, AND ANY SUCH DUMPSTER AND RECYCLING AREAS MAY HAVE ROLL UP DOORS AND CONTAINERS CAN BE MOVED OUTSIDE TO BE EMPTIED AND THEN RETURNED TO THE INTERIOR OF THE STRUCTURED PARKING FACILITY OR A BUILDING. ANY DUMPSTER AND RECYCLING AREA LOCATED AT THE END OF THE EXISTING PRIVATE STREET WILL BE ENCLOSED BY A SOLID MASONRY WALL WITH ONE SIDE CONTAINING A DECORATIVE GATE. THE WALL USED TO ENCLOSE THE AREA WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE BUILDINGS.

6. STREETSCAPE, BUFFERS OPEN SPACE AND LANDSCAPING:a. ALONG THE INTERNAL PRIVATE STREETS (ROAD B, ROAD C AND CARMEL CENTER DRIVE) A SETBACK OF 16 FEET AS MEASURED FROM THE BACK OF CURB WHL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. SIDE AND REAR YARDS AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED.

b. THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALKS ALONG THE SITE'S INTERNAL PRIVATE STREETS (CARMEL CENTER DRIVE, ROAD C, ROAD B AND ROAD A) AS GENERALLY DEPICTED ON REZONING PLAN. THE PENTIONER WILL NOT BE RESPONSIBLE FOR WIDENING EXISTING SIDEWALKS NOT LOCATED ALONG THE PROPOSED BUILDING FRONTAGES OR OFF-SITE.

C. THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALKS ALONG

(BOTH SIDES) OF THE EXISTING ROAD A AS GENERALLY DEPICTED ON THE REZONING PLAN. d. SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET. SCREENING FOR THE PARKING AREA ALONG THE ROAD B MAY BE PROVIDED BY MOVING THE PLANTING ALONG THE STREET TO BETWEEN THE SIDEWALK AND PARKING e. THE PETITIONER OR DEVELOPER/OWNER OF THE DEVELOPMENT WILL MAINTAIN ALL LANDSCAPED AREAS. THIS SHALL INCLUDE TRIMMING AND REMOVAL OF ANY SHRUBS. TREES OR OTHER PLANT MATERIAL THAT IS DISEASED OR DEAD. IN SUCH AN INSTANCE, SUCH PARTIES WILL REPLACE THE SHRUB, TREE, OR OTHER PLANT MATERIAL AS SOON AS PRACTICABLE AND NO LATER THAN THE NEXT RECOMMENDED PLANTING CYCLE. THE MINIMUM SIZE OF NEW TREES AND SHRUBS AT INSTALLATION WILL MEET CITY ORDINANCE STANDARDS UNLESS OTHERWISE SPECIFIED IN THESE DEVELOPMENT STANDARDS OR ON THE REZONING PLAN. TREES BETWEEN CARMEL ROAD AND THE BUILDINGS WILL NOT BE LIMBED ABOVE EIGHT FEET FROM THE GROUND.

f. ALL LANDSCAPE AREAS LOCATED ON THE SITE WILL BE PROVIDED WITH AUTOMATIC IRRIGATION. g. THE LANDSCAPING DEPICTED ON THE REZONING PLANS WILL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

h. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED QUISIDE OF THE REQUIRED SETBACKS.

i. IMPROVED OPEN SPACE AREAS WILL BE PROVIDED FOR EACH OF THE RESIDENTIAL BUILDINGS AS GENERALLY DEPICTED ON THE REZONING PLAN. THE OPEN SPACE AREAS WILL BE IMPROVED WITH SEATING AREAS, WALKWAYS, AND LIGHTING. THEY MAY ALSO INCLUDE OTHER IMPROVEMENTS ASSOCIATED WITH THE DESIGN AND USE OF THE OPEN SPACE. THE SIZE OF THE AREAS MAY VARY FROM WHAT IS SHOWN ON THE REZONING PLAN, HOWEVER, NO LESS THAT A TOTAL OF {9,000} SQUARE FEET OF OPEN SPACE AREAS WILL BE PROVIDED.

7. ENVIRONMENTAL FEATURES:

gh. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

gi. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS

gj. THE SITE WILL COMPLY WITH THE TREE ORDINANCE. THE PETITIONER MAY UTILIZE THE PROVISIONS OF THE TREE ORDINANCE AVAILABLE TO DEVELOPMENTS WITHIN MIXED-USE CENTERS TO MEET TREE SAVE REQUIREMENTS

OF TREE ORDINANCE (E.G. CREATE AMENITIZED TREE AREAS, PAYMENT IN LIEU, ETC.).

gk. ALL UTILITIES WITHIN THE SITE SHALL BE PLACED UNDERGROUND.

a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

b. ANY SIGNAGE PROPOSED ALONG CARMEL ROAD WILL BE COMPOSED OF INDIVIDUAL LETTERS THAT ARE EITHER BACK LIT WITH OPAQUE LETTERING OR ILLUMINATED WITH UP LIGHTING. ANY SUCH SIGN MAY NOT UTILIZE INTERNALLY ILLUMINATED LETTERS.

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 20 FEET IN HEIGHT.

c. PEDESTRIAN SCALE LIGHTING ALONG THE PROPOSED PRIVATE STREETS WILL MATCH EXISTING LIGHTING

FIXTURES LOCATED ALONG THE EXISTING PRIVATE STREETS

EXTERIOR BUILDING LIGHTING WILL BE ALLOWED AND WILL BE ARCHITECTURAL TYPE LIGHTING FIXTURES ON THE JUDING FACADES, SOUR AS SCONCES OR OTHER SIMILAR TYPES OF BUILDING LIGHTING. BUILDING AND LANDSCAPE ÚP-LIĞHŤINĞ WILL ALSO Bİ PERMITTED.

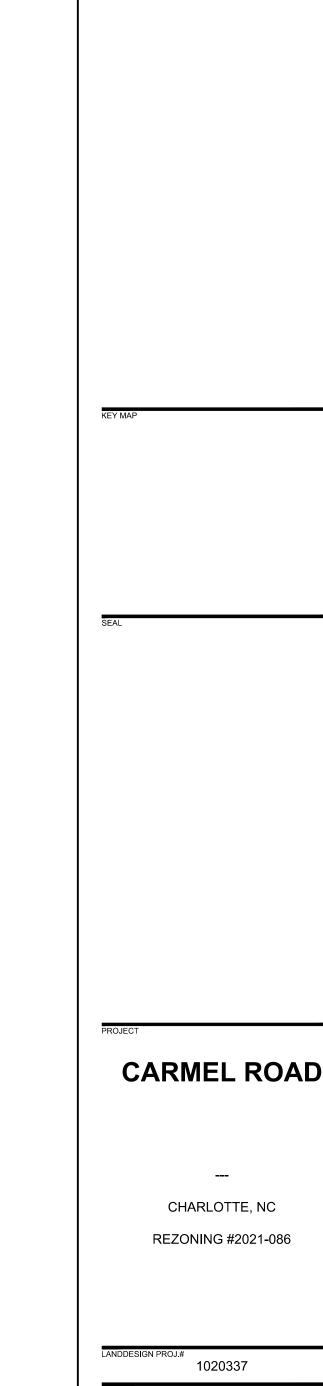
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

11. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND 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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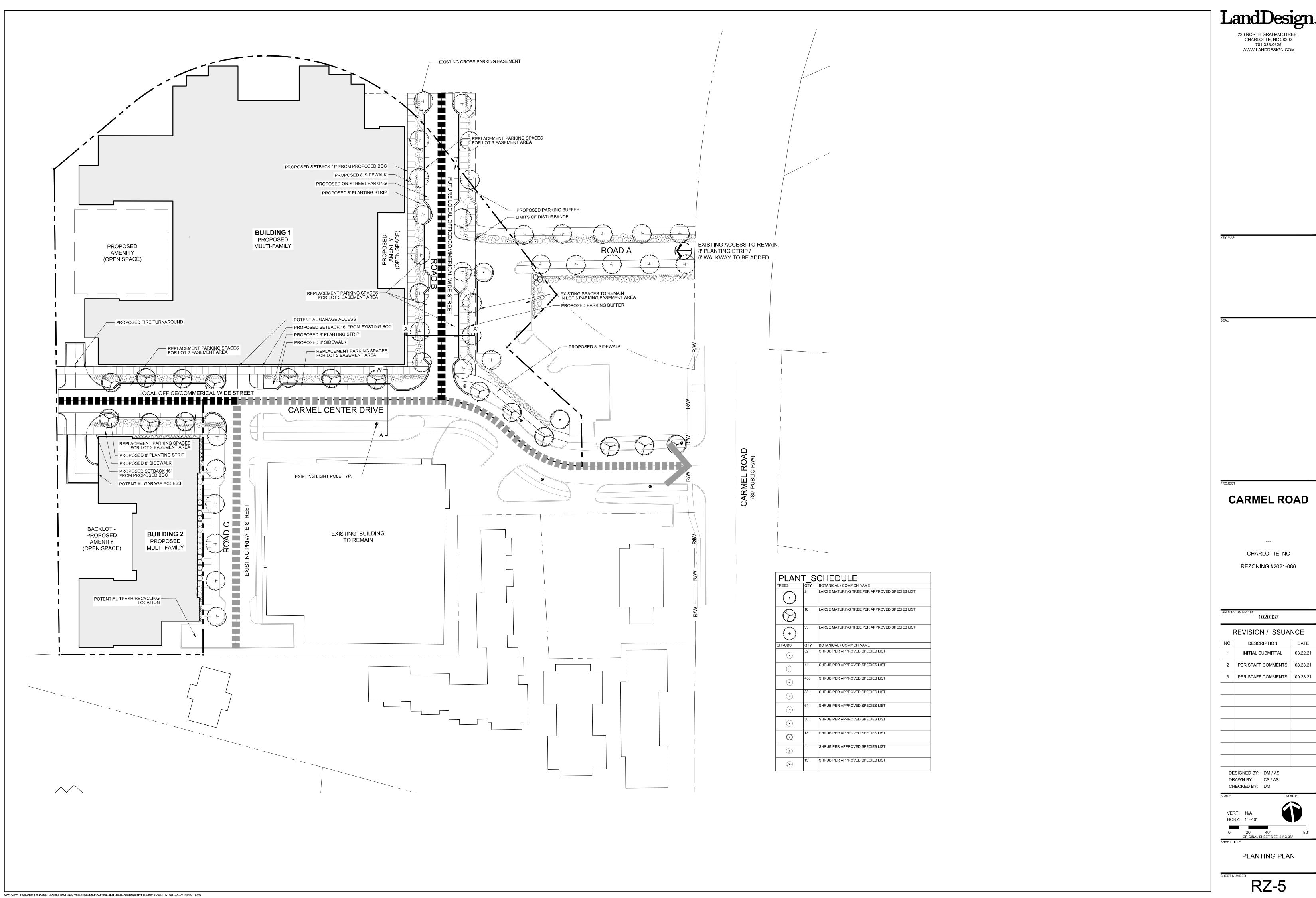


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