

VICINITY MAP SCALE = 1" = 2,000'

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

LEVINE PROPERTIES

REZONING PETITION NO. RZP-2023-038

NOT FOR CONSTRUCTION

LEVINE PROVIDENCE AND **SARDIS LANE REZONING**

LEVINE PROPERTIES 5821 BRITTANY CT 11

CHARLOTTE NC 28270

REVISION / ISSUANCE DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI

> VERT: N/A HORZ: 1"=200'

> > **VISION STATEMENT**

LEGEND

LEVINE PROPERTIES REZONING: MIXED-USE RESIDENTIAL/RETAIL/ OFFICE/RECREATIONAL USE

HORIZON PROPERTIES REZONING: RESIDENTIAL

NORTHWOOD RAVIN REZONING: RESIDENTIAL

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

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

DEVELOPMENT PATTERNS ONLY.

VISION FOR PROVIDENCE RD JOINT REDEVELOPMENT

THIS REZONING AND THOSE LISTED FOR OTHER PARCELS GENERALLY DEPICTED HEREIN PROVIDES AN EXCITING REDEVELOPMENT OPPORTUNITY FOR PORTIONS OF AN EXISTING OVER 55 YEAR OLD MULTI-FAMILY RESIDENTIAL NODE IN THE PROVIDENCE RD, SARDIS LANE AND OLD PROVIDENCE RD AREA.

THE THREE COORDINATED, SEPARATE REZONING PETITIONS WILL COLLECTIVELY REVITALIZE AN AREA BY REPLACING A PORTION OF THE OVER 55 YEAR OLD OUT OF DATE OBSOLETE RESIDENTIAL UNITS WITH A VARIETY OF HOUSING TYPES AND A MIXED-USE NEIGHBORHOOD CENTER.

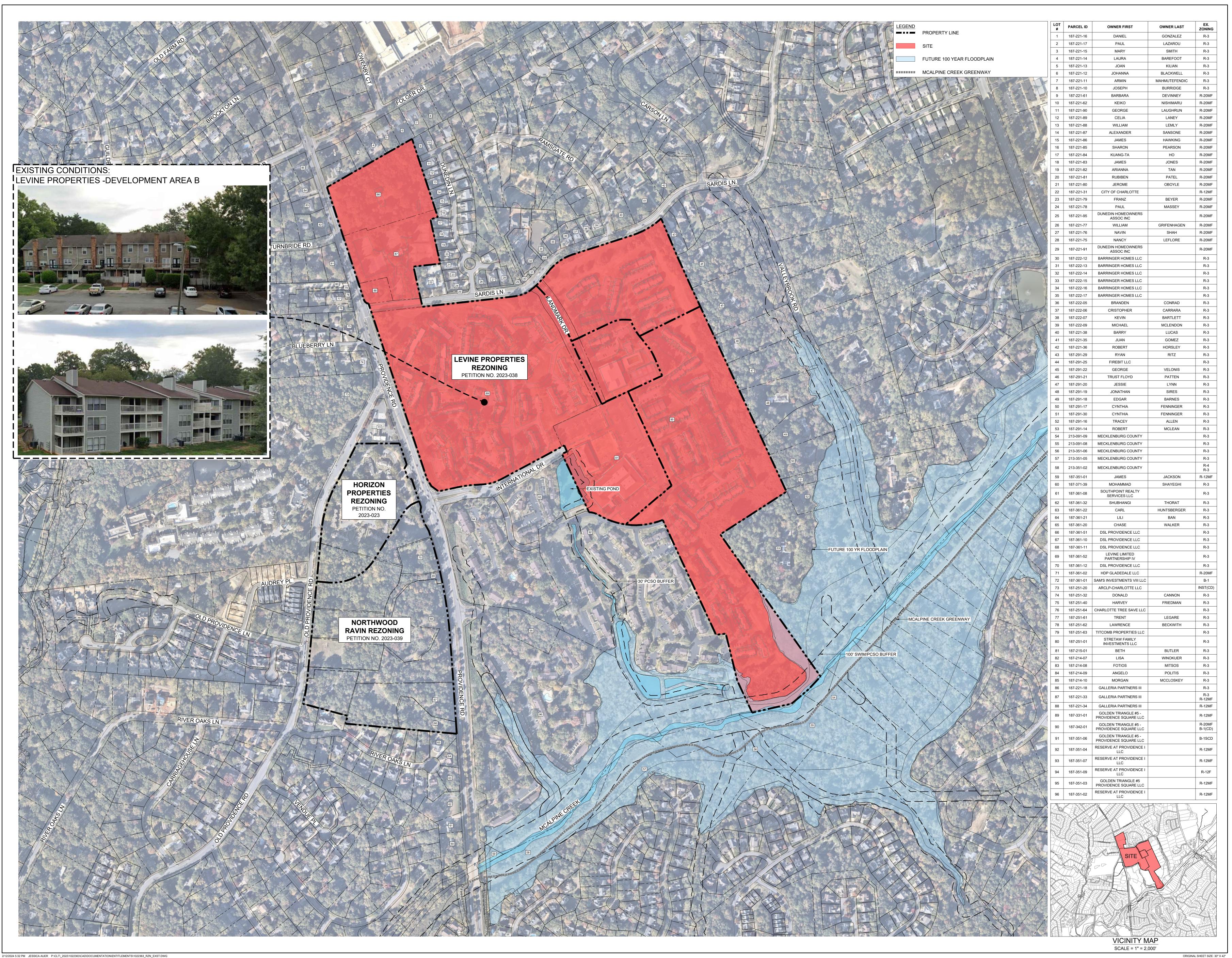
THIS REVITALIZATION WILL CREATE NEW AFFORDABLE/WORKFORCE HOUSING UNITS AND UPGRADE/EXTEND THE USEFUL LIFE OF OTHERS.

IT WILL BRING SMALLER FORMAT RETAIL AND EXCITING NEW GROCERY STORE OPPORTUNITY AS WELL AS CREATE AN IMPROVED STREET NETWORK AND PEDESTRIAN WALKABILITY.

OPPORTUNITIES FOR FURTHER AND BROADER OUTREACH INTO THE COMMUNITY WILL TAKE PLACE SHORTLY IN ADVANCE OF THE FULL GEAR UP OF THE REZONINGS UNDER THE CITY REZONING PROCESS TO TAKE PLACE IN SEVERAL MONTHS.

THIS REZONING PETITION RELATES TO THE APPROXIMATELY 84.16 ACRES SHOWN AS DEVELOPMENT AREAS A, B, B-1, C, D, E AND E-1 ON THE ATTACHED REZONING SHEETS TO ALLOW FOR REDEVELOPMENT AS A MIXED USE COMMUNITY OF RESIDENTIAL, RECREATIONAL AND COMMERCIAL USES IN A WELL-DESIGNED PEDESTRIAN FRIENDLY/WALKABLE MANNER.

> RZ0-00 ORIGINAL SHEET SIZE: 30" X 42"



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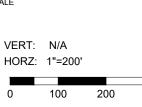
LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

LEVINE PROPERTIES 5821 BRITTANY CT 11 CHARLOTTE NC 28270

LANDDES	SIGN PROJ.# 1022363		
REVISION / ISSUANCE			
NO.	DESCRIPTION	DATE	
1	REZONING SUBMITTAL	01.31.2023	
2	REZONING 2ND SUBMITTAL	11.14.2023	
3	REZONING 3RD SUBMITTAL	02.12.2024	

DESIGNED BY: LDI DRAWN BY: LDI

CHECKED BY: LDI



MASTER EXISTING CONDITIONS PLAN

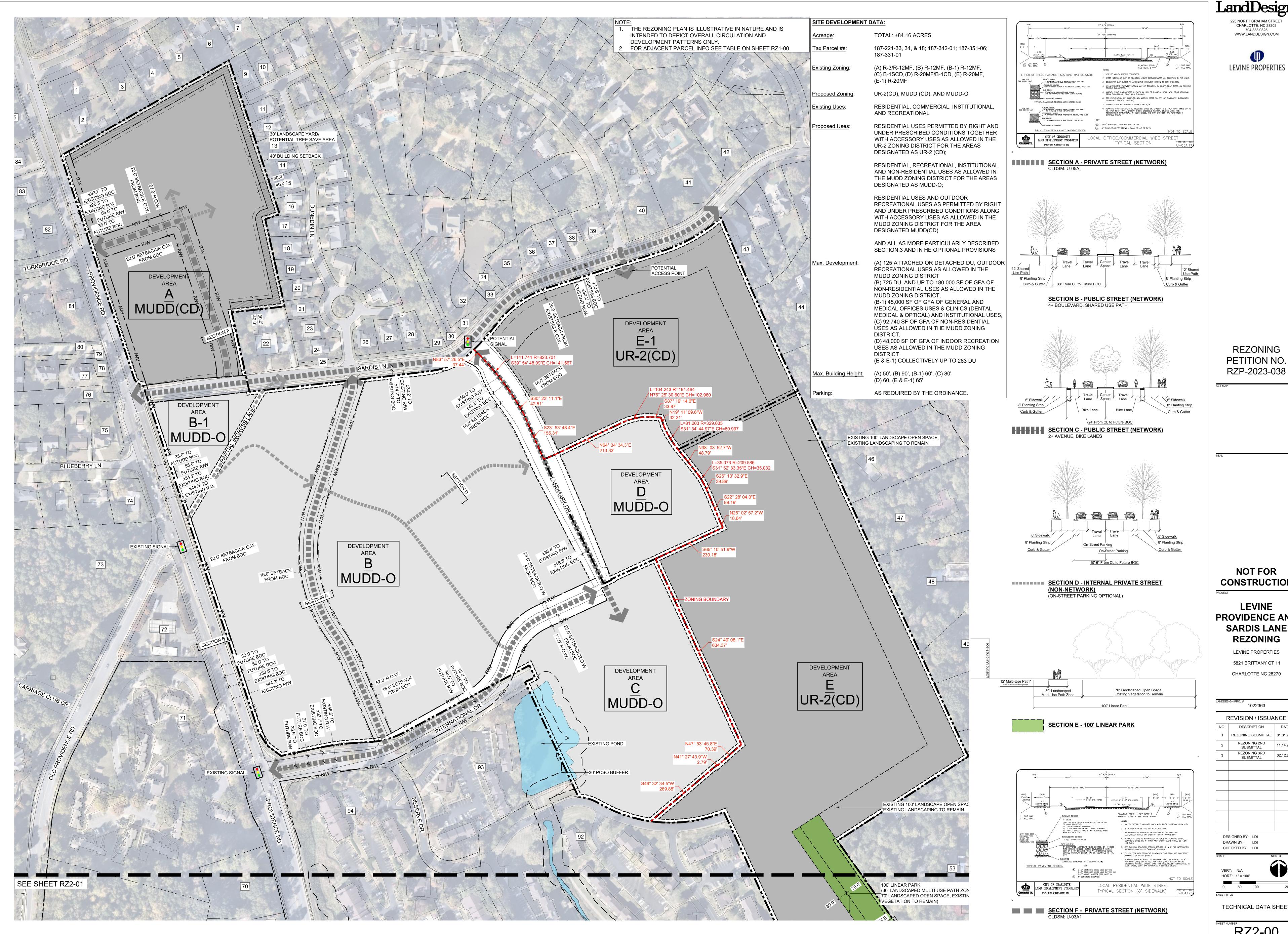
RZ1-00



SARDIS LANE

REVISION / ISSUANCE 1 REZONING SUBMITTAL 01.31.2023

ORIGINAL SHEET SIZE: 30" X 42"



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LEVINE PROPERTIES

NOT FOR CONSTRUCTION

LEVINE PROVIDENCE AND SARDIS LANE **REZONING**

> 5821 BRITTANY CT 11 CHARLOTTE NC 28270

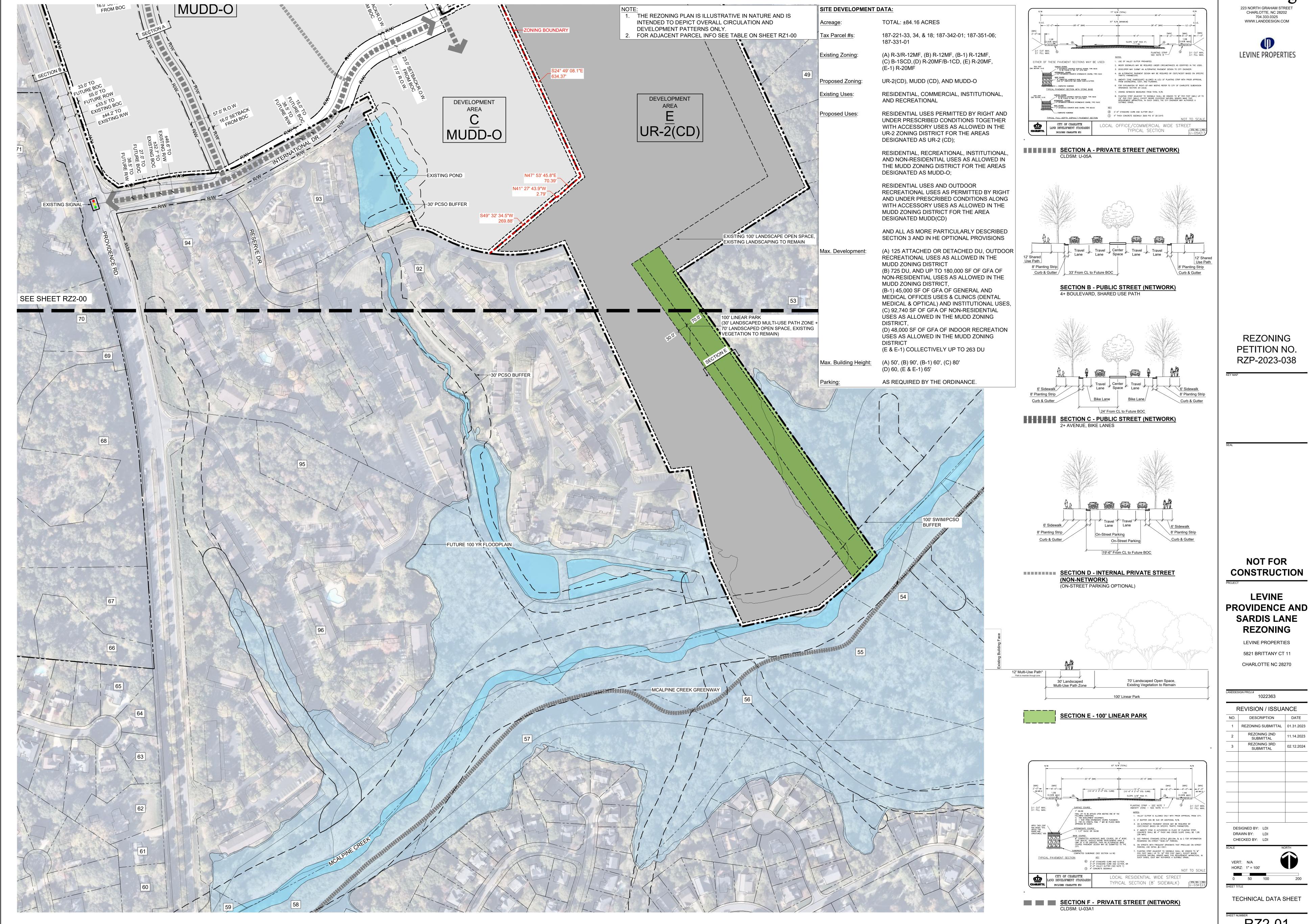
REVISION / ISSUANCE REZONING 3RD SUBMITTAL DESIGNED BY: LDI DRAWN BY: LDI

CHECKED BY: LDI

TECHNICAL DATA SHEET

ORIGINAL SHEET SIZE: 30" X 42"

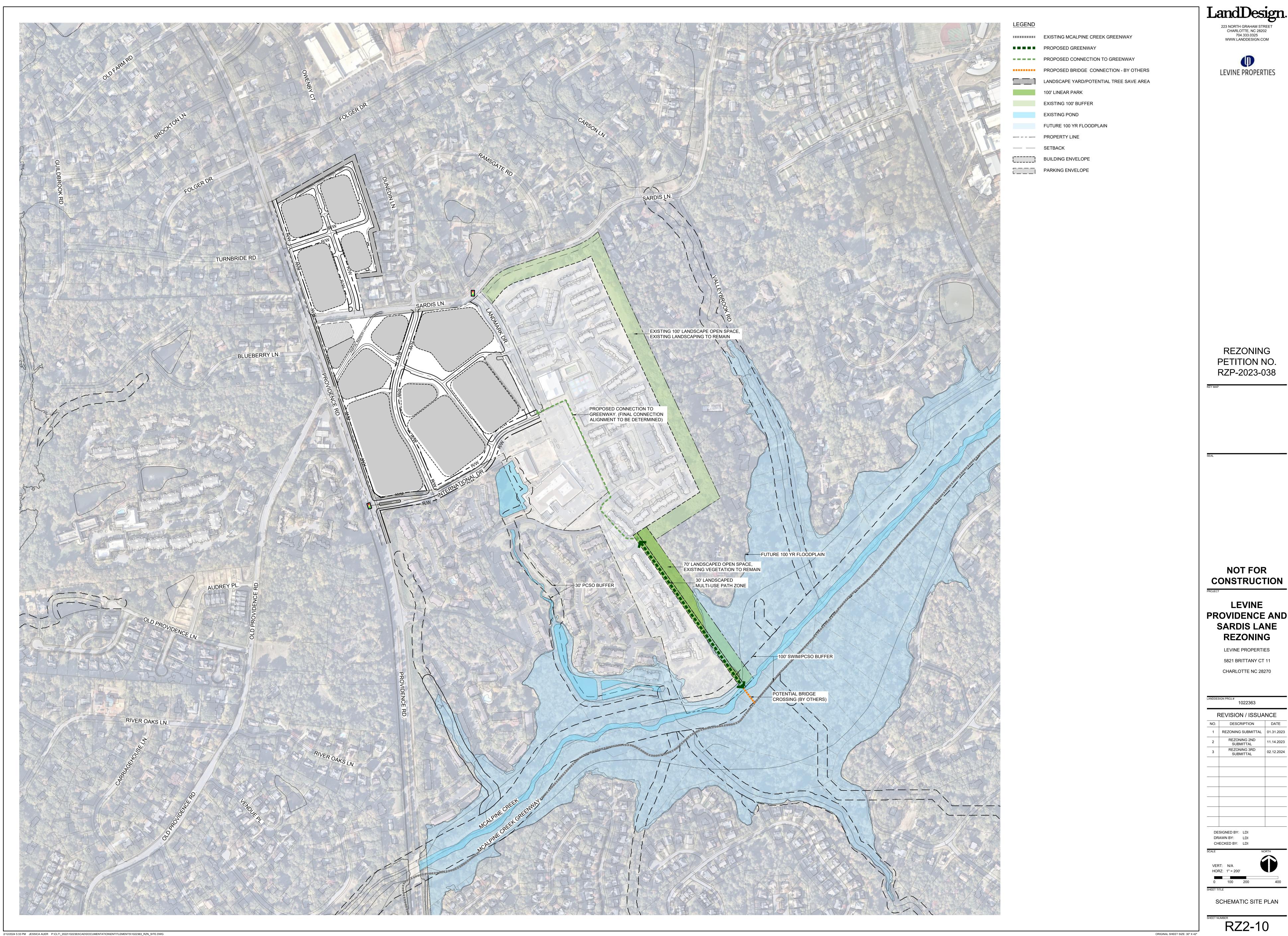
RZ2-00



REZONING SUBMITTAL 01.31.2023

RZ2-01

ORIGINAL SHEET SIZE: 30" X 42"



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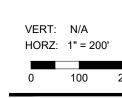
PETITION NO. RZP-2023-038

LEVINE PROVIDENCE AND SARDIS LANE

LEVINE PROPERTIES 5821 BRITTANY CT 11 CHARLOTTE NC 28270

ANDDESIGN PROJ.# 1022363			
REVISION / ISSUANCE			
NO.	DESCRIPTION	DATE	
1	REZONING SUBMITTAL	01.31.2023	
2	REZONING 2ND SUBMITTAL	11.14.2023	
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DESIGNED BY: LDI DRAWN BY: LDI CHECKED BY: LDI



SCHEMATIC SITE PLAN

Site Development Data:

--Acreage: \pm 84.16 acres --**Tax Parcel #s:** 187-221-33,34, & 18; 187-342-01; 187-351-06; 187-331-01

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

--Existing Zoning: R-3 & R-12MF: B-1SCD: B-1(CD) and R-20MF
--Proposed Zoning: UR-2(CD), MUDD(CD) and MUDD-O
--Existing Uses: Residential, Commercial, Institutional, and Recreational.

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

--Maximum Gross Square Feet/Units of Development: (i) Within Development Area A up to 125 attached dwelling units or detached dwelling units of outdoor recreational uses as allowed in the MUDD zoning district; (ii) within Development Area B-1 up to 45,000 square feet of gross floor area of general and medical offices uses & clinics (dental medical & optical) and institutional uses as allowed in the MUDD zoning district; (iv) within Development Area C up to 92,740 square feet of gross floor area of non-residential uses as allowed in the MUDD zoning district; (v) within Development Area D up to 48,000 square feet of gross floor area of indoor recreation uses as allowed in the MUDD zoning district; and (vi) within Development Areas E and E-1 collectively up to 263 residential dwelling units as allowed in the UR-2 zoning district (there currently exist 263 units in Development Area E and E-1). Subject to the transfer provisions described in Section 3 below.

--Maximum Building Height: Building height for development taking place within each Development Area will be limited as follows (except as may be expressly provided in Section 2 below, height shall be measured/calculated as defined by the Ordinance): (i) within Development Area A a maximum height of 50 feet; (ii) within Development Area B a maximum height of 90 feet; (iii) within Development Area B a maximum height of 60 feet; (iv) within Development Area C a maximum height of 80 feet; (v) within Development Area D a maximum height of 60 feet; and (vi) within Development Areas E and E-1 the maximum building height shall be 65 feet. Height to be measured as defined by the Ordinance.

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

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

1. General Provisions:

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

c. Development Areas. For ease of reference and as an organizing principal associated with the master planned unified development, the Rezoning Plan sets forth six (6) development areas (and as applicable other sub-areas within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A, B, B-1, C, D, E and E-1 (each a "<u>Development Areas</u>"). The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan.

d. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below), open space areas and other development matters and all other site elements (collectively the "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. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or ii. 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, Development Areas and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, public/private street frontage requirements, and other similar zoning/subdivision standards will not be required internally between improvements, Development Areas and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the applicable portion of the Site under development reserve the right to subdivide the portions or all of the Site, including without limitation the Development Areas, and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all density/unit number requirements/limits will be regulated by any development limitations set forth in Section 2 below as to the Site as a whole and not individual portions, Development Areas or lots located therein. f. Seven Year Vested Rights. Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the multi-phase development and master planned large scale nature of the development and/or redevelopment, the level of

investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a seven (7) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the number of buildings constructed on the Site is not limited by this graphic illustration of buildings indicated on the Rezoning

and elevators within such facilities), areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, rooftop equipment rooms, loading dock/service areas (indoor or outdoor), trash/recycling storage areas, mechanical and electrical rooms, and outdoor dining, courtyards and gathering areas whether on the roof of the building or at street level. i. Personal Services. Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise, but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas', Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, dental offices, locksmiths, funeral homes and the like.

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

2. Optional Provisions. The following optional provisions shall apply to the portions of the Site zoned MUDD-O:/3

a. To allow parking, loading areas, and maneuvering for parking and loading areas to occur between the proposed buildings in Development Areas B, B-1, C and D and

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

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

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

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

Permitted Uses and Development Area Limitations:

a. Subject to the restrictions and limitations, transfer rights, as well as the benefits of the Optional provisions set forth herein, the principal buildings constructed on the Site and located within the applicable Development Areas may be developed as follows: as allowed by-right and under prescribed conditions in the MUDD oning district together with allowed accessory uses (Up to

(ii) Development Area B may be developed with up to 725 residential dwelling units, and up to 180,000 square feet of gross floor area of non-residential uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses. Up to 150 of the allowed residential units for Development Area B may be transferred to Development Area E-1;

(iii) Development Area B-1 may be developed with up to 45,000 square feet of gross floor area of general and medical offices uses, clinics (dental medical & optical) uses, and institutional uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses;

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

(v) Development Area D may be developed with up to [48,000] square feet of gross floor area of indoor recreational uses and institutional uses as allowed by-right and under prescribed conditions in the MUDD zoning district together with allowed accessory uses (it is noted that approximately 45,000 square feet of gross floor area is allowed currently in Development Area D). The amount of allowed square footage may be increased by the transference of 15,000 square feet of gross floor area from Development Area

(vi) Development Areas E and E-1 may be developed with up to 263 residential dwelling units as allowed by-right and under prescribed conditions in the UR-2 zoning district together with allowed accessory uses; it is noted that 263 units exist current collectively in Development Areas E and E-1 (units may or may not be salvaged). The existing units may be renovated, repaired, removed, and/or replaced with new units and buildings. A minimum of 108 of such units shall be available for workforce housing in accordance with the provisions of the following subsection b. Up to 150 residential units may be transferred from Development Area E-1 and up to 125 residential units may be transferred from Development Area E-1

b. Workforce Housing Preservation within Development Area E. The Petitioner shall voluntarily provide a workforce housing program to ensure that some residential units are reasonably priced for persons earning less than area median income as follows: the Petitioner shall ensure that no fewer than 108 dwelling units collectively within Development Areas E and/or E-1 on the Site shall maintain, for a period of not less than 15 years, monthly rents that are income restricted for households earning 80% or less of the area median income. The 15-year period will begin once the final certificate of occupancy is issued for the proposed work force housing units.

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

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other partie (e.g., N 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 implementati 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.II.b below):

Proposed Improvements.

The following multi-modal/pedestrian and/or street improvements shall be implemented in accordance with the provisions of this Section 4, and as described below may be implemented in conjunction with other developments or public/private projects: a. To be determined based on transportation study results during rezoning process.

b. Subject to the approval of CDOT and NCDOT the Petitioner proposes to re-align Sardis Lane., so that the relocated Sardis Lane will align with Old Providence Rd. to create a new signalized intersection with Providence Rd. as generally depicted on the Rezoning Plan. The specific configuration of the intersection as recommended by the TIS

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 south Mecklenburg area, by way of a private/public partnership effort or other public sector project.

part of transportation study work b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of this Section 4 shall mean completion of the roadway improvements in accordance with the standards set forth in this Section 4, provided, e 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 may instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a

certificate of occupancy is issued to secure completion of the applicable improvements. In the event that portions of the project are phased, the Petitioner shall only be required to complete as a condition of the first certificate of occupancy for a specified building

b. Timing of Improvements; Phasing. Those street improvements described in Section 4I. above will be substantially completed in conjunction with the development of the Site, and in accordance with phasing as set forth as follows: [to be determined as

associated with the applicable phase, the roadway, pedestrian and multi-modal improvements necessary as part of the applicable phase, as set forth in this Rezoning or as otherwise allowed by CDOT, each without the need for a rezoning nor site plan amendment c. 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 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

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 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 amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes these Development Area or portion of the Site affected by such amendments to the Rezoning Plan (which includes the such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion of the Site affected by such amendment area or portion or portion or portion of t 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

applicable road-way 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.

phasing described above, then the CDOT or NCDOT (may) instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the

d. Right-of-way Conveyance. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, the Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional tht-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a particular phase as described herein. 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 as development takes place on a phased basis. The permanent sidewalk utility easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

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 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.

5. Access, and Pedestrian Circulation

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

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

c. The Petitioner will provide an eight-foot (8') planting strip and a six-foot (6') sidewalk along the Site's frontage on Sardis Lane and International Drive.

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

e. The number and location of access points to the internal public/private street and drives will be determined during the building permit process and thereafter additional or fewer driveways and/or additional streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances, and regulations.

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

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

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

i. 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

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

k. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad South Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

Architectural and Site Standards and Parking Location Restrictions:

Building Materials for Development Areas A, B and B-1. The principal buildings constructed on Development Areas A, B and B-1 may use a variety of building materials. The building materials used for buildings in connection with new development taking place (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, metal, cementitious siding (such as hardie-plank), EIFS or wood. Aluminum as a building material may only be used on windows, soffits and on handrails/railings. The proposed roofing materials will be architectural asphalt shingles, metals type roofing materials may also be used. Vinyl as a primary building material will not be allowed except on windows, balcony railings, on trim elements, and soffits. It is expressly understood that buildings existing currently as of the rezoning filing shall be excluded from requirements of this subsection including in connection with refurbishment of

b. Non-residentia and Mixed-Use Design Standards - Development Areas B and B-1:

ng Siting, Building Articulation, Transparency, and Building Design Standards, within Development Areas B and B-1 shall focus on and enhance the pedestrian environment through the follow Minimum BTZ Build-To Percentage for each Structure along public or network required street (%): TBD

Minimum Building Length as a Percentage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage on two streets, then % on one street and % on the second. If building has frontage on nore than two streets, then minimum building length only applies to two streets. Minimum Ground Floor Height along each public street or network required street: TBD (finished floor elevation to finished floor elevation). At least % of the total ground floor of the building measured as percentage of the interior space, shall meet the nimum ground height requirement. Maximum Prominent Building Entry Spacing along each public street or network required street: TBD.

Maximum Building Length: TBD. Ground Floor Transparency along each public street or network required street (% of wall area between 3-feet to 10-feet from grade): TBD% Upper Floor Transparency along each public street or network required street (% of wall area per story): TBD

Multi-family residential buildings within Development Area B (not attached units within Development Area A nor other Development Areas) shall adhere to the following standards:

Building Siting, Building Articulation, Transparency, and Building Design Standards, within Development Area B shall focus on and enhance the pedestrian environment through the following Design Standards to be a Build-To Zone (BTZ) (from public or network required street setback line): TBD. Minimum BTZ Build-To Percentage for each Structure along public or network required street (%): TBD Minimum Building Length as a Percentage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage on two streets, then % on one street and % on the second. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage on two streets, then % on one street and % on the second. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage on two streets, then % on one street and % on the second. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If building has frontage of Lot Width along each public or network required street (measured at street setback line) (%): TBD. If b ore than two streets, then minimum building length only applies to two streets. Minimum Ground Floor Height along each public street or network required street: TBD (finished floor elevation to finished floor elevation). At least % of the total ground floor of the building measured as percentage of the interior space, shall meet the inimum ground height requirement.

Maximum Prominent Building Entry Spacing along each public street or network required street: TBD. Maximum Building Length: TBD. Ground Floor Transparency along each public street or network required street (% of wall area between 3-feet to 10-feet from grade): TBD%

) Upper Floor Transparency along each public street or network required street (% of wall area per story): TBD

d. Attached residential units within Development Area A and if constructed within Development Area A shall adhere to the following standards:

To provide privacy, all residential entrances within 10 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24 inches. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed. Townhome units along a network required street will present a front elevation to the network required street.

The front elevation of each dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 10 feet on each level of the dwelling unit. All corner/end units that face a public or private network street should have an architectural element that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all building els or supplemental landscaping to buffer the unit. Townhouse buildings fronting public or private network required streets shall be limited to six (6) individual units or fewer.

a. Along Site's frontage on Providence Road within Development Area A a [23-foot] setback as measured from the future back of curb will be provided; within Development Area B and B-1 a [22-foot setback as measured from the future back of curb will be provided as generally depicted on the Rezoning Plan, along the. This proposed setback will not apply to existing buildings and parking areas located within the Site that are not removed.

b. The setback along Sardis Ln. within Development Area B-1 and B will be 16 feet as measured from the future back of curb as generally depicted on the Rezoning Plan.

c. [The setback along Sardis Ln. within Development Area E-1 will be [100-feet as measured from the future right-of-way as generally depicted on the Rezoning Plan.]

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

e. The proposed setback along International Dr. will be 23-feet as measured from the back of curb as generally depicted on the Rezoning Plan.

f. The proposed setback along the new network required streets will be 23-feet as measured from the back of curb as generally depicted on the Rezoning Plan.

Development Area A is developed with a attached dwelling units 240-foot side/rear yard will be provided along the eastern and northern property boundary of Development Area A. Within the 40-foot side/rear yard a 30-foot landscape open space area will be the units in Development Area A and the existing adjacent single-family homes. This landscape open space area will be a minimum of 30 feet wide and will be planted to meet Class C Buffer standards as generally depicted on the Rezoning

If Development Area A is developed with outdoor recreational uses, then a 50-foot Class C Buffer will be provided along the eastern and norther property boundary of Development Area A. The Class C Buffer may be reduced by 25% by the installation

Within Development Areas E and E-1, a 100-foot-wide landscaped open space area will be provided along the northern and along the eastern property boundary, except for the portion of eastern boundary which will be improved with a greenway access trail to provide a connection to McAlpine Greenway as generally depicted on the Rezoning Plan. In the area where the greenway access trail will be constructed a 70-foot landscape open space area will be provided along the eastern property line and a 30-foot landscape ne will be provided to connect McAlpine Creek Greenway into the Site as generally depicted on the Rezoning Plan.

a. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved from and engineering perspective with this rezoning. Adjustments may be necessary to accommodate actual storm water treatment requirements and natural site discharge points.

b. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

For adjoining parcels receiving storm water discharge, the Petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the floodplain. If the existing storm water conveyance on the adjoining parcels is found to nadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels. [d] The Site will comply with the requirements of the City of Charlotte Tree Ordinance and the City Post Construction Stormwater Ordinance.

Open Space: Open space areas shall be available on the Site with portions of such open space areas available for active uses as determined during the rezoning process.

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

a. Signage as allowed by the Ordinance may be provided. The Site will be viewed as a Planned/Unified Development as defined by the Ordinance; consequently, uses located on the interior of the Site may be identified on the allowed signs for the uses in Development Areas A, B, B-1 and vice-versa.

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

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

All lighting shall be of full cut-off or semi cut-off lighting design. Outdoor recreational uses are permitted a total lighting height of 65 feet. All lighting shall be directed onto the field. The recreational use lighting shall be extinguished one hour following the end of a scheduled event or the close of the field to the public, whichever is applicable.

Lighting outside the recreational use, such as for parking areas, shall be limited to a maximum height of 25 feet and is not limited to the timeframe limitation described above **Greenway Dedication for McAlpine Greenway**

The Petitioner will provide a 30-foot landscaped shared-use path zone as part of the proposed 100-foot landscaped open space area located within the southeast corner of Development Area E as generally depicted on the Rezoning Plan. The 30-foot landscaped shared-use path zone will be improved with a 12-foot shared use path (SUP). The 12-foot SUP will be connected to the Site's internal sidewalk network so that each Development Area will have access to the SUP which will also be connected to McAlpine Creek Greenway. The connection to the McAlpine Creek Greenway to be determined during the land development approval process for the Development Area E. The 12-foot SUP will be constructed prior to the issuance of certificate of occupancy for any new development occurring within Development Area E.

a. The Petitioner will work with CATS to maintain the existing bus stops located along Providence Rd. If any of the existing bus stops conflict with the proposed development the Petitioner will coordinate new location with CATS during the Land Development plan review process.

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.

223 NORTH GRAHAM STREE 704.333.0325

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LEVINE

REZONING LEVINE PROPERTIES 5821 BRITTANY CT 11

CHARLOTTE NC 28270

REVISION / ISSUANCE DESCRIPTION REZONING SUBMITTAL 01.31.2023 REZONING 3RD SUBMITTAL

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

HORZ: AS NOTED

ORIGINAL SHEET SIZE: 30" X 42"

DEVELOPMENT STANDARD