



DEVELOPMENT STANDARDS
January 31, 2023

- I. GENERAL PROVISIONS**
- A. **Site.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Liberty Healthcare Properties of North Carolina, LLC (the "Petitioner") for an approximately 7.04 acre site located on the north side of Providence Road West between Old Ardey Kell Road and Community House Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel No. 223-191-25.
- B. **Zoning District/Ordinance.** The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance and the Institutional zoning district shall govern the development and use of the Site.
- C. **Graphics and Alterations.** The schematic depictions of the uses, building, sidewalks, driveways and parking 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 flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where 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:
- (1) Minor and do not materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director will determine if such minor modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.
- D. **Amendments.** Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- 2. PERMITTED USES/DEVELOPMENT LIMITATIONS**
- A. Subject to the limitations set out herein, the Site may be devoted only to a senior living community (nursing home) comprised of age restricted, independent living units and any incidental or accessory uses associated therewith that are permitted under the Ordinance in the Institutional zoning district.
- B. An age restricted community shall mean a community that is intended and operated for occupancy by persons 55 years of age or older; publishes and adheres to policies and procedures that demonstrate the intent to provide housing for persons 55 years of age or older; complies with HUD's regulatory requirements for verification of occupancy; and otherwise meets the applicable requirements of the State and Federal Fair Housing Acts to qualify as "Housing for Older Persons."
- C. At a minimum, the senior living community shall contain a security entrance/registered access, a clubhouse with wellness and/or a fitness facility, a central meeting area, a dining area, computer resources, recreation/social director and independent living unit designs using AARP Universal Design guidelines or the equivalent.
- D. A maximum of 125 independent living units may be developed on the Site.
- E. The development shall not exceed a maximum floor area ratio of 0.5.
- 3. TRANSPORTATION**
- A. Vehicular access shall be as generally depicted on the Rezoning Plan. Notwithstanding the foregoing, the placement and configuration of the vehicular access points may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- B. The alignments and locations of the internal private drives, vehicular circulation areas and driveways depicted on the Rezoning Plan may be modified by Petitioner during the permitting process to accommodate changes in building and parking layouts and site constraints and to accommodate any modifications required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- C. Vehicular connections to Tremont Ridge Court and Blake Chateau Drive shall not be made and shall not be required.
- 4. ARCHITECTURAL STANDARDS**
- A. The maximum height in feet of the building to be constructed on the Site shall be 48 feet.
- B. The maximum heights in stories of the various segments of the building to be constructed on the Site are designated on the Rezoning Plan.
- 5. BUFFER/STREETScape**
- A. A minimum 38 foot wide Class C buffer shall be established along the Site's northern, eastern and western boundary lines as depicted on the Rezoning Plan, and such buffer shall conform to the standards of Section 12.302 of the Ordinance. The width of this Class C buffer may not be reduced.
- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
- C. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's frontage on Providence Road West.
- 6. ENVIRONMENTAL FEATURES**
- A. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.
- B. Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.
- 7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**
- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

BRIGHTMORE OF SOUTH CHARLOTTE	
SITE DATA	
PROPERTY IN THIS ZONING ACTION	
TPN	AREA
223 19 125	7.043 AC
EXISTING ZONING:	R-3
PROPOSED ZONING:	INST (CD)
PROPOSED USE: SENIOR INDEPENDENT LIVING (ASSOCIATED WITH AN ADJACENT CCRC) 125 INDEPENDENT LIVING UNITS	
ALLOWABLE FLOOR AREA RATIO:	0.5
MAXIMUM ALLOWABLE GROSS FLOOR AREA:	153,396 SF
PROPOSED GROSS FLOOR AREA:	153,396 SF
PROPOSED INDEPENDENT LIVING UNITS:	125 UNITS
PARKING REQUIRED:	125 UNITS @ 1.5/UNIT = 188 SPACES
PARKING PROVIDED:	202 SPACES
TREE SAVE REQUIRED:	7.043 AC @ 15% = 1.056 AC
TREE SAVE PROVIDED:	1.45 AC
MAXIMUM BUILDING HEIGHT:	48'

PETITION NUMBER _____

NORTH

SCALE: 1"=40'



Seals:
**PRELIMINARY
NOT FOR
CONSTRUCTION**

Corp. NC license: F-1320

Liberty Independent Living at Brightmore

10024 Providence Road West,
Charlotte, North Carolina, 28277

Project no: 17.000308
Date: 01.31.23
Revisions:

Sheet Title:
**REZONING
SITE PLAN**

Sheet No:
RZ-1