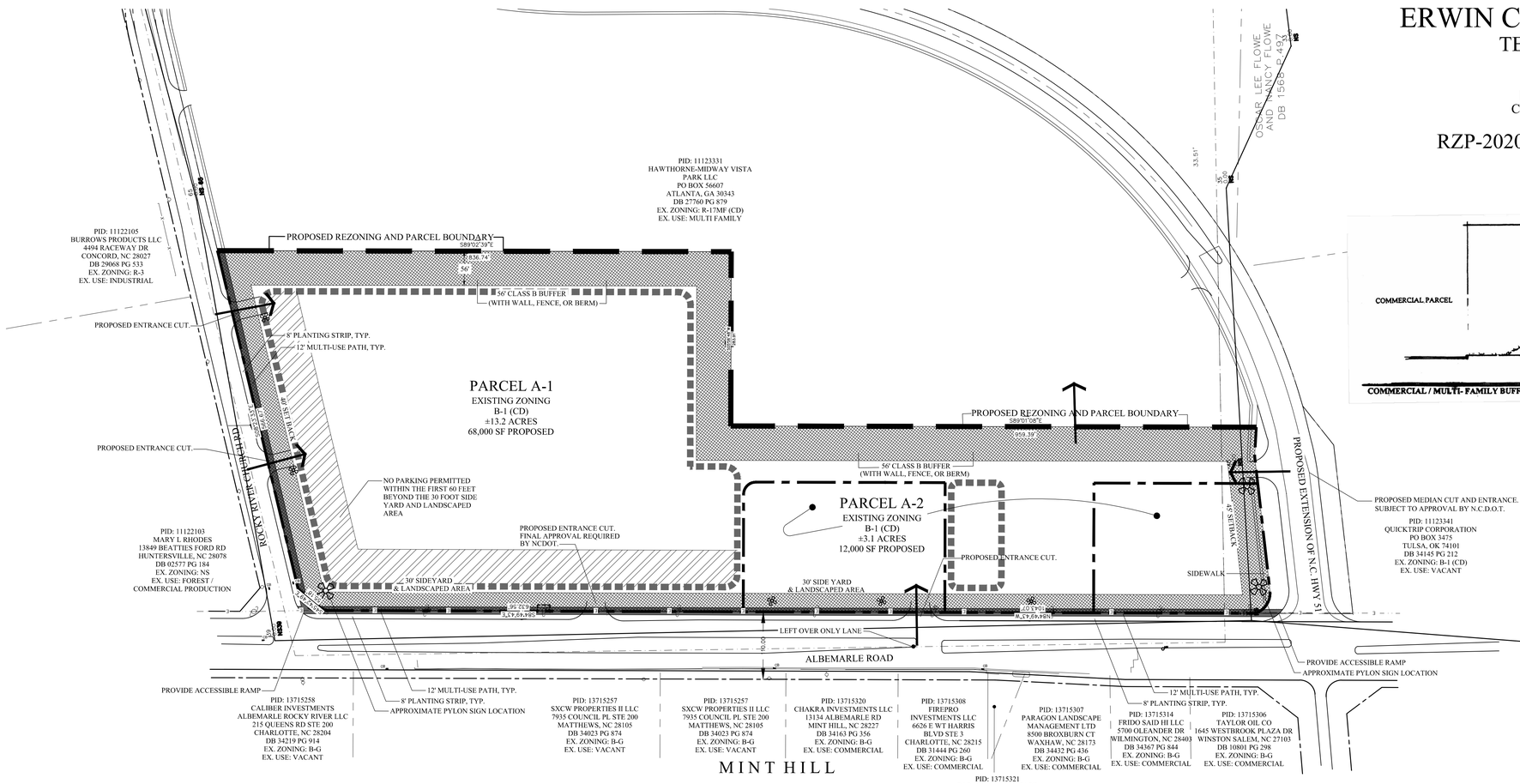
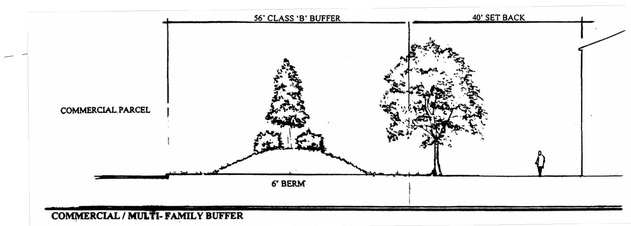
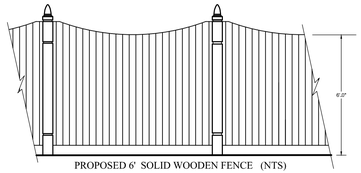
ERWIN CAPITAL/BEAVER FARMS
TECHNICAL DATA SHEET

ERWIN CAPITAL INC., PETITIONER
CROSLAND GROUP INC., PETITIONER

RZP-2020-007 SITE PLAN AMENDMENT







PROPOSED 6' SOLID WOODEN FENCE (NTS)

SITE DATA

TOTAL SITE AREA: ±16.3 ACRES

PARCEL A
TOTAL SITE AREA: ±13.2 AC
CURRENT ZONING: B-1 (CD)
RETAIL AND OFFICE USES : UP TO 68,000 SF

PARCEL A1
TOTAL SITE AREA: ±3.1 AC
CURRENT ZONING: B-1 (CD)
RETAIL AND OFFICE USES : UP TO 12,000 SF

LEGEND

SIGNAGE

SETBACKS/BUFFERS

Rezoning Petition No. 98-42(c)

Development Standards

Woodland/Beaver Farms Site

Revised - February 18, 2020

A. GENERAL PROVISIONS

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Erwin Capital (the "Petitioner") to request an amendment to the approved B-1 (CD) conditional rezoning plan for an approximately 13.211 acre site located generally on the northeast corner of the intersection of Rocky River Church Road and Albemarle Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 111-233-32, 111-233-33, 111-233-34, 111-233-37 and 111-233-40.

2. The Site is an approximately 13.211 acre portion of an approximately 40.1 acre site (the "Original Rezoning Site") that was rezoned to the B-1 (CD) zoning district by the Charlotte City Council in 1998 pursuant to Rezoning Petition No. 1998-042(c) to accommodate a multi-use development on the Site.

3. Under the approved B-1 (CD) conditional rezoning plan relating to Rezoning Petition No. 1998-042(c) (the "1998 Approved Plan"), the Original Rezoning Site is divided into two parcels for entitlement purposes, such parcels being designated as Parcel A and Parcel B on the 1998 Approved Plan. Pursuant to the 1998 Approved Plan, Parcel A, which contains approximately 16.3 acres, may be developed with a maximum of 80,000 square feet of retail and office uses, and Parcel B, which contains approximately 23.8 acres, may be developed with a maximum of 300 multi-family dwelling units. The Site is a portion of Parcel A.

4. That portion of Parcel A that comprises the Site is designated on this Rezoning Plan as "Parcel A-1" and that portion of Parcel A that is not part of the Site and is not subject to this Rezoning Petition is designated as "Parcel A-2" on this Rezoning Plan.

5. Building and parking envelopes are depicted on the Rezoning Plan. Principal buildings, accessory structures and parking areas shall be located within the building and parking envelopes. This Rezoning Plan does not limit the number of principal buildings, accessory structures and parking areas that may be located within a building and parking envelope or on the Site.

6. Notwithstanding the terms of paragraph A.5 above, parking areas may not be located within that portion of the Site designated on the Rezoning Plan as a "No Parking Zone". However, buildings, accessory structures and vehicular circulation drives associated with drive-in and drive-through service lanes/windows may be located in the No Parking Zone.

7. Prior to the Charlotte City Council's decision on this Rezoning Petition, the Petitioner shall file with the Charlotte Planning, Design and Development Department (the "Planning Department") a request for an administrative site plan amendment to the 1998 Approved Plan to reduce the maximum gross floor area allowed on that portion of Parcel A that is not subject to this Rezoning Petition (designated as Parcel A-2 on this Rezoning Plan) to 12,000 square feet of gross floor area. In the event that this Rezoning Petition is approved, the Planning Department shall process and approve this administrative site plan amendment request. In the event that this Rezoning Petition is withdrawn prior to approval or denied by the Charlotte City Council, the Planning Department shall not process or approve this administrative site plan amendment request and the Planning Department shall return this administrative site plan amendment request to Petitioner.

8. The development and use of the Site will be governed by this Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").

9. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-1 zoning district shall govern the development and use of the Site.

10. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.

11. 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

B. PERMITTED USES/DEVELOPMENT LIMITATIONS

1. Subject to the limitations set out below in paragraphs B.2 through B.6, the Site may only be devoted to the following uses:

(a) Retail uses, personal service uses, general and professional office uses (including medical and dental offices), financial institutions, hotel uses and eating, drinking and entertainment establishments (Type 1 and Type 2) and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-1 zoning district.

(b) Residential uses allowed in the B-1 zoning district and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-1 zoning district. Residential uses shall include, without limitation, age restricted independent living units.

2. A total maximum of 68,000 square feet of gross floor area may be developed on the Site.

3. A maximum of 110 hotel rooms may be developed on the Site. The gross floor area of a hotel building developed on the Site shall count towards the total maximum allowed gross floor area that may be developed on the Site set out above in paragraph B.2.

4. In the event that residential uses allowed in the B-1 zoning district are developed on the Site, each residential dwelling unit shall be counted towards the total maximum allowed gross floor area that may be developed on the Site set out above in paragraph B.2 at the rate of 1,000 square feet per residential dwelling unit.

5. A maximum of one eating, drinking and entertainment establishment (Type 1 or Type 2) located on the Site may have accessory drive-in and drive-through service lanes/windows.

6. A convenience store with fuel pumps and/or a gasoline station shall not be permitted on the Site.

C. BUFFERS

1. Buffer areas shall be established on the Site if required under the Ordinance based on the ultimate use or uses of the Site. Any required buffer areas shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof. The width of any required buffer may be reduced by 25% if a wall, fence or berm is provided that meets the requirements of Section 12.302(8) of the Ordinance.

2. In the event that an adjacent parcel of land is either rezoned to a zoning district or developed 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.

3. Any required buffer areas shall remain as open space and, subject to the provisions of paragraphs 4 and 5 below, will be left undisturbed.

4. Petitioner reserves the right to clear, grade and fill within any required buffer areas.

5. Petitioner reserves the right to install utilities within any required buffer areas. However, utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

6. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within any required buffer areas.

7. Where existing trees and natural vegetation have been cleared to accommodate pedestrian sidewalks or pathways or the installation of utilities, the cleared, unimproved areas will be landscaped with trees and shrubs.

D. SETBACKS, SIDE YARDS AND REAR YARDS

1. All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the B-1 zoning district.

2. Building setbacks off of Albemarle Road and Rocky River Church Road will be established in the manner depicted on the Rezoning Plan.

3. No storm water detention facilities may be located within any setback areas.

E. SCREENING AND LANDSCAPED AREAS

1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

2. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

3. Any dumpsters visible from a public street or from adjoining property will be screened with a solid-enclosure with gates.

F. ARCHITECTURAL CONTROLS

1. **Buildings Developed to Non-Residential Uses (Excluding Hotels)**

(a) The maximum height of any building devoted to non-residential uses shall be governed by the Ordinance.

(b) The architectural and design standards set out below shall apply to buildings devoted to non-residential uses, provided, however, that these standards shall not apply to a building devoted to a hotel use.

(1) Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets through the following:

(i) Buildings shall be placed so as to present a front or side facade to all streets.

(ii) Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation with transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.

(iii) The facades of the first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone.

(iv) A direct pedestrian connection should be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.

(v) Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as, but to limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

(vi) Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades or other architectural elements.

(vii) Buildings shall have a minimum height of 22 feet.

(viii) Multi-story buildings shall have a minimum of 20% transparency on all upper stories.

(c) Notwithstanding anything contained herein to the contrary, uses with accessory drive-in and drive-through service lanes/windows may have a vehicular circulation drive located between the building and the adjacent streets, and pick-up windows may face the adjacent streets.

2. **Single Family Attached Dwelling Units**

(a) The maximum height of any single family attached dwelling units constructed on the Site shall be governed by the Ordinance.

(b) The architectural and design standards set out below shall apply to any single family attached dwelling units constructed on the Site.

(1) The primary exterior building materials for the single family attached dwelling units constructed on the Site will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.

(2) Vinyl, EIFS or masonite may not be used as an exterior building material on any single family attached dwelling unit constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings. Additionally, aluminum may be used on trim and garage doors.

(3) 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.

(4) The finished floor elevation of each single family attached dwelling unit located within 15 feet of a public sidewalk shall be a minimum of 12 inches above the average sidewalk grade of the public sidewalk.

(5) Each single family attached dwelling unit constructed on the Site shall have a usable front porch or a front stoop. Usable front porches shall be covered and be at least 5 feet in depth. Front stoops shall be covered and front stoops may be covered by an awning, canopy, roof extension or other architectural feature chosen by Petitioner. Front stoops shall not be required to have a minimum depth of 5 feet.

(6) All cornerlend units that face a public or private street shall have a porch or stoop 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 levels.

(7) Walkways shall be provided to connect all residential entrances to sidewalks fronting public streets.

(8) Townhome buildings that are adjacent to and front a public street shall not contain more than 5 individual single family attached dwelling units. This requirement shall not apply to buildings that do not front a public street or buildings that are adjacent and perpendicular to a public street.

(9) Garage doors visible from public streets shall minimize the visual impact by providing a minimum setback of 12 inches from the further of the front wall plane or porch or stoop protrusion and shall have additional architectural treatments such as translucent windows or projecting elements over the garage door opening.

3. **Multi-Family Buildings**

(a) The maximum height of any building devoted to multi-family uses shall be governed by the Ordinance.

(b) The architectural and design standards set out below shall apply to buildings devoted to multi-family uses.

(1) Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

(2) Prohibited Exterior Building Materials:

(i) Vinyl siding (but not vinyl hand rails, windows, doors or door trim).

(ii) Concrete Masonry Units not architecturally finished.

(3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

(i) Buildings shall be placed so as to present a front or side facade to all network required streets (public or private).

(ii) Buildings shall front (the side of a building that has windows will also be considered a front) a minimum of 50% of the total network required street frontage on the Site (exclusive of driveways, pedestrian access points, usable open space, tree save areas, natural areas, and/or tree re-planting areas).

(iii) Driveways intended to serve single units shall be prohibited on all network required streets.

(4) Building Massing and Height shall be designed to break up long monolithic building forms as follows:

(i) 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 6 feet extending through the building.

(5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

(i) Building elevations shall be designed with vertical bays or articulated architectural facade 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 facade features and color changes.

(iii) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

(6) 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 parapets.

(ii) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

(iii) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

(7) Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

G. PARKING

1. Off street parking spaces will satisfy the minimum standards under the Ordinance.

2. Off-street parking for an age restricted, independent living facility use shall be provided at the rate of 1 parking space per 3 dwelling units.

H. LIGHTING

1. All freestanding lighting fixtures installed on the Site will be uniform in design.

2. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet in height.

3. All freestanding light fixtures and wall pack light fixtures installed on the Site except street lights which may be erected along Albemarle Road or Rocky River Church Road shall be designed such that direct illumination does not extend past any property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards Albemarle Road and Rocky River Church Road and adjacent properties.

4. All wall packs will be shielded.

I. SIGNS

1. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

J. ACCESS POINTS (DRIVEWAYS)

1. The number of vehicular access points to the Site shall be limited to the number depicted on the Rezoning Plan.

2. The placement and configuration of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

3. The parking lots for each of the establishments place on the Site must be configured in such a fashion as to allow internal vehicular traffic to move from one parcel to the other parcel.

K. TRANSPORTATION AND SIDEWALKS

1. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

2. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

3. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

4. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

5. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

6. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

7. Petitioner will install an 8 foot wide planting strip and a 12 foot wide multi-use path along the Site's frontages on Albemarle Road and Rocky River Church Road as generally depicted on the Rezoning Plan.

8. Subject to the approval of CDOT and any other governmental agencies, Petitioner shall, prior to the issuance of the first certificate of occupancy for a building constructed on the Site, construct an ADA compliant bus waiting pad per land development standard 60.01B within the required planting strip along the Site's frontage on Albemarle Road. The exact location of the waiting pad shall be determined during the site design and permitting process, and the waiting pad shall be located entirely within right of way. In the event that Petitioner cannot obtain all approvals and permits required to construct the waiting pad, then Petitioner shall have no obligation to construct the waiting pad. CATS shall be responsible for the installation and maintenance of a bench or shelter on the waiting pad.

9. All transportation improvements required to be constructed pursuant to this Section K of the Development Standards will be approved and constructed prior to the issuance of the first certificate of occupancy for a building constructed on the Site.

L. DEDICATION OF RIGHTS OF WAY

1. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

2. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

3. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

4. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

5. Prior to the issuance of the first certificate of occupancy for a building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to the North Carolina Department of Transportation as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Albemarle Road as required to provide right of way measuring 50 feet from the centerline of existing Albemarle Road, to the extent that such right of way does not already exist.

M. ENVIRONMENT/STORM WATER MANAGEMENT

1. Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.

2. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

N. BINDING EFFECT

1. 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.

2. 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.

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KEY MAP

SEAL

LANDDESIGN, INC. CORPORATE SEAL NORTH CAROLINA

NOT FOR CONSTRUCTION

PROJECT

BEAVER FARMS

ERWIN CAPITAL, INC

1521 PROVIDENCE ROAD

CHARLOTTE, NC 28211

LANDDESIGN PROJ.#
1019529

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	02/18/2020
2	REVISED PER STAFF	04/20/2020
3	REVISED PER STAFF	06/09/2020

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

SCALE

VERT: N/A
HORZ: 1"=100'

0 50' 100' 200'

NORTH

SHEET TITLE

SITE PLAN AMENDMENT
TECHNICAL DATA SHEET

SHEET NUMBER

1