



Site Development Data:

Acreage: +/- 12.3 AC

Tax Parcel: 10505203 & 10505201

Existing Zoning: N2-A

Proposed Zoning: RZP-2023

Proposed Uses: Up to (1,000sf) of Non-Residential Uses

Approved: 09/26/2023

Max Building Coverage: 50%

Proposed Coverage: 29%

General Provisions:

1. These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Penmith Holding LLC (the "Petitioner") to accommodate the development of a mix of multi-family attached units, retail, commercial and office uses on an approximate 12.3 acre site located at the northeast corner of Rocky River Road and John Russell Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 10505203 & 10505201 located in the City of Charlotte, Extra Territorial Jurisdiction (ETJ).

2. Development of the Site shall be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Unified Development Ordinance (the "Ordinance").

3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the "N2-A" Zoning District shall govern all development taking place on the Site.

4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the final layout, location and sizes of the development and site elements depicted on the Rezoning Plan are graphic representation of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard(s), landscaping and green area requirements set forth on the Rezoning Plan and the Development Standards, provided, however, that any such alterations and modification shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.

5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Article 37 of the Unified Development Ordinance. Minor alterations to the Rezoning Plan are subject to Article section 37.3 of the Ordinance.

Permitted Uses:

1. Uses allowed within the rezoning area included in this Petition are those uses that are permitted within the N2-A zoning district containing a maximum of (116) Multi-Family Attached residential units and up to a maximum of (9,000sf) of non-residential uses along with any incidental and accessory uses relating to the allowable within the associated zoning district.

2. The proposed uses including residential and non-residential uses as generally depicted on the rezoning plan may be phased during permitting and land development in one or more phases, as determined during permitting and construction. Phasing must align with proposed transportation and infrastructure improvement conditions noted within this petition and shall meet ordinance requirements.

Transportation:

1. Vehicular access to public rights of way will be as generally depicted on the Rezoning Plan. Final locations, placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to minor modification required to accommodate final permitting and construction plan adjustments as required by NCDOT and CDOT for approval.

2. The site shall be served by a combination of public roads and non-network required private alleys as depicted on the Rezoning Plan. Final locations of these drives are subject to minor modifications and adjustments to accommodate final permitting and construction plans as required to obtain final approval.

3. The Development shall install accessible sidewalk ramps pedestrian signalization and crosswalks at the intersection of Rocky River Road and John Russell Road at the two northern corners of the intersection as illustrated and labeled on the Site plan in coordination with CDOT and NCDOT.

4. Accessible sidewalk ramps and crosswalks shall be provided at the corner of John Russell Road and proposed Public Road 1, Rocky River Road and proposed Public Road 1 and at the corners of the proposed intersection of proposed Public Road 1 and Public Road 2 as generally depicted on the Rezoning Plan.

5. A 12' multi-use path and a minimum 8' landscape strip shall be constructed along Rocky River Road and John Russell Road as generally illustrated on the Site Plan. The sidewalk may meander adjacent the property and final location shall be coordinated with NCDOT and CDOT. All sidewalks adjacent public roads, located outside of public right of way, shall be located within a sidewalk utility easement.

6. The Development will establish an 8' landscape strip measured from the future back of curb along Rocky River Road established by the Charlotte Streets Map and construct a 12' multi-use path, back of landscape strip, along Rocky River Road connecting to Bailey Run Drive, if existing right of way has been dedicated and is present and available to establish the described improvements. In the event adequate public right of way is not available and acquisition of land from adjacent property owners is necessary, the developer shall make three (3) good faith attempts to acquire the necessary land at a cost no greater than the established average acreage taxable value at the time of approval. Construction progress related to this petition shall not be encumbered by the City and certificates of occupancy shall not be withheld related to these described improvements.

7. An 8' sidewalk and a minimum 8' landscape strip shall be provided along proposed public Road 1 and proposed Public Road 2 as generally illustrated on the Site Plan.

8. The future back of curb location along Rocky River Road shall be measured 30' from existing roadway centerline as described within the Charlotte Streets Map and shall follow CLDSM standard detail 11.09.

9. The future back of curb location along John Russell Road shall be measured 19' from existing roadway centerline as described within the Charlotte Streets Map and shall follow CLDSM standard detail 11.09.

10. The Petitioner agrees to dedicate land for right of way to NCDOT fee simple measured a minimum of 27' from the centerline of John Russell Road as generally depicted on the Site Plan and denoted within the associated hatched area.

11. The Petitioner shall dedicate land for right of way to NCDOT fee simple measured a minimum of 38' from the centerline of Rocky River Road as generally depicted on the Site Plan and denoted within the associated hatched area.

12. All transportation and pedestrian improvements adjacent John Russell and Rocky River Road will be approved and constructed prior to the 30th certificate of occupancy being issued on site. All internal transportation improvements associated with proposed Public Road 1 shall be installed prior to the Sites first certificate of occupancy being issued. The wearing/surface course of asphalt associated with Public Road 1 shall be installed prior to the Sites 100th certificate of occupancy being issued.

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

14. If at the time of permitting the site remains in the ETJ, multi-use paths along Rocky River Road and John Russell Road must be constructed outside of the right of way and within a public access easement. Until the project area is annexed to the City of Charlotte, the 12' multi-use paths along Rocky River Road and John Russell Road, shall be maintained by the Development.

15. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

16. During permitting, an intersection sight distance survey shall be completed and coordinated with NCDOT.

17. Intersection of John Russell Road and Public Road 1 to be full movement including a southbound left turn lane and northbound right turn lane into the site with 150 LF of storage. A three lane road section shall be provided if the northbound right turn lane and existing right turn lane taper to Rocky River Road are within 100 LF of each other. All improvements to be reviewed and coordinated with NCDOT.

18. Final configuration of intersection of Rocky River Road and Public Road 1 to be determined during permitting. The intersection, based on NCDOT required horizontal and vertical design criteria may be, Option 1: right-in right out restricted from proposed Public Road 1 with 4 foot concrete monolithic island within Rocky River Road, Option 2: left turn restricted from proposed Public Road 1 to Rocky River Road with necessary concrete monolithic island, Option 3: full movement with appropriate eastbound left turn lane, westbound right turn lane and appropriate lane storage. Final configuration of intersection and all improvements to be coordinated with NCDOT as necessary during permitting.

Architectural and Design Standards:

1. In addition to design provisions contained within Article 5 & 18 of the Unified Development Ordinance for the N2-A district, the development of the site will be governed by the following provisions and standards produced by the Petitioner and which will be binding on the development of the site.

2. A variety of principal building materials may be utilized on site and will be a combination of the following: Masonry, brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, steel, stucco, wood, ceramic tile, cementitious fiber board and glass fiber reinforced concrete. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.

3. Building placement and site design of the multi-family attached units on site shall focus on and enhance the pedestrian environment adjacent ground floor facades located along public streets through the following:

- Buildings shall be placed so as to present a front or side façade.
- Usable porches or stoops may form an element of the building design. Dimensions of stoops and porches shall follow Article 18 of the Ordinance.
- Direct pedestrian connections shall be provided from residential units to adjacent right-of-way.
- All HVAC and mechanical shall be screened from public right of way view.
- Pitched roofs shall be symmetrically sloped no less than 5:12 except for roofs for porches that shall be no less than 2:12.

4. Multi-family attached buildings proposed directly adjacent existing or a proposed public right of way shall be limited to a maximum of four (4) residential units.

5. Height of non-residential structures on site shall be limited to 28 feet. Building height shall be measured on site as described within the Unified Development Ordinance.

Amenities, Streetscape and Landscaping:

1. The Development shall comply with Article 20 of the Unified Development Ordinance.

2. The Petitioner may subdivide the Site and create sublots withing the Site with no side or rear yards as part of the unified development plan.

3. The Development shall provide open space and amenity areas within the Site as generally depicted on the Rezoning Plan in the locations labeled. Noted Amenity Area 1 shall be a minimum of 5,100 square feet and shall provide two of the following amenity features including but not limited to: community pool, open air pavilion, grilling area, splash pad, sports court, elevated hardscape patio/seating area and elevated landscape plantings. Noted Amenity Area 2 shall be a minimum of 1,800 square feet and shall provide one of the following amenity features including but not limited to: dog park, picnic pavilion, children's playground, community garden. Proposed Amenity Area and Open Space on site may also incorporate required Green Area as described within the UDO.

Environmental Features:

1. The Development shall comply with Part IX of the Unified Development Ordinance.

2. 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 in order to accommodate actual storm water treatment requirements and natural site discharge points.

3. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services ad 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.

4. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Regulations.

5. The Site shall comply with Article 21 of the Ordinance. Dumpster and recycling service areas associated with residential uses shall be as generally depicted on the Site plan and shall be screened from public view and described within the ordinance. Final locations of dumpster locations shall be determined during the land development review permit process.

Signage:

1. The Site shall comply with the Article 22 of the Unified Development Ordinance.

Lighting:

1. All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent lighting shall be permitted.

2. Detached lighting on the site, except street lights located along public streets, will be limited to twenty-one (21) feet in height.

3. Pedestrian scale street lighting shall be provided along internal proposed public streets.

Amendments to Rezoning Plan:

Future amendments to these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Article 37 of the Ordinance.

Further alterations or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Site Plan or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Article 37 of the Ordinance, as applicable.

Binding Effect of the Rezoning Documents and Definitions:

1. If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

2. Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.



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PRELIMINARY DRAWING
FOR REVIEW PURPOSES ONLY

Penmith Holdings LLC

1213 W Moorehead Street, Suite 450
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Baucom Mixed-Use

Development Notes & Standards
Rocky River Rd Charlotte, NC 28213

NO.	DATE:	BY:	REVISIONS:
01	11.19.2023	UDP	REZONING REVISION 1
02	12.21.2023	UDP	REZONING REVISION 2
03	03.27.2024	UDP	REZONING REVISION 3

Project No: 23-CLT-082

Date: 09.25.2023

Sheet No:

RZ-2.0