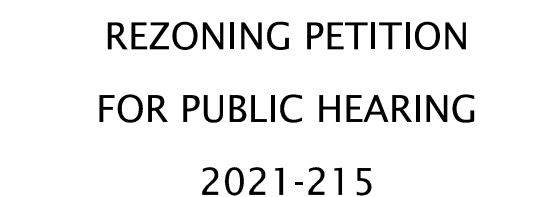




O 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
P 704.343.0608
W www.drgrp.com



REZONING PETITION

COLLEEN D. KIVLEN
CHARLOTTE (ETJ), NORTH CAROLINA

LONGBRANCH DEVELOPMENT, LLC
 &
 REVENTURE PARK
 INVESTMENTS NORTH, INC.

70 0 70 140
SCALE: 1" = 140'

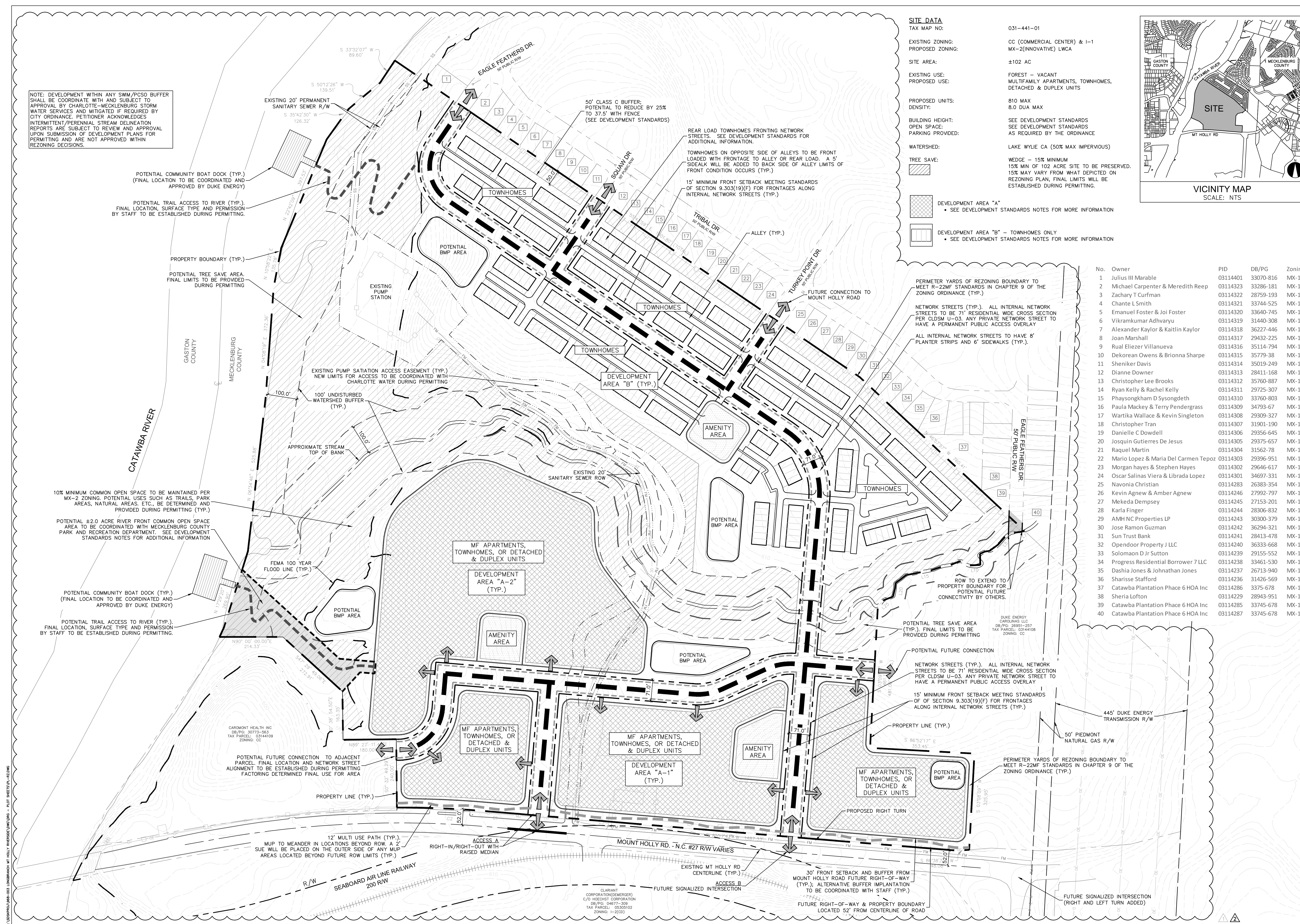
PROJECT #: 854-024
DRAWN BY: JO
CHECKED BY: NB

AUGUST 27, 2021

REVISIONS:

1. 2.14.22 - PER STAFF COMMENTS
2. 3.25.22 - PER STAFF COMMENTS

RZ1.0



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SITE DEVELOPMENT DATA:

- ACREAGE: ± 102 ACRES
--TAX PARCEL #S: 031-441-01
--EXISTING ZONING: CC AND I-1
--PROPOSED ZONING: MX-2(INNOVATIVE) LWCA
--EXISTING USES: VACANT
--PROPOSED USES: RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MX-2 ZONING DISTRICT AND AS DESCRIBED IN MORE DETAIL IN SECTION 2 BELOW
--MAXIMUM GROSS SQUARE FEET/ UNITS OF DEVELOPMENT: A MAXIMUM OF 810 RESIDENTIAL DWELLING UNITS COMPOSED OF ATTACHED DWELLINGS, MULTI-FAMILY DWELLING UNITS, DUPLEXES, TRIPLEXES, QUADPLEXES, AND SINGLE-FAMILY DETACHED DWELLING UNITS AS ALLOWED BY THE MX-2 ZONING DISTRICT AND THE INNOVATIVE PROVISIONS BELOW; (I) WITHIN DEVELOPMENT AREA A, ANY OF THE ALLOWED RESIDENTIAL DWELLING UNIT TYPES MAY BE CONSTRUCTED; AND (II) WITHIN DEVELOPMENT AREA B, ONLY ATTACHED DWELLING UNITS MAY BE CONSTRUCTED.
--MAXIMUM BUILDING HEIGHT: BUILDING HEIGHT FOR DEVELOPMENT TAKING PLACE (I) WITHIN DEVELOPMENT AREA A SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 62 FEET AND (II) WITHIN DEVELOPMENT AREA B SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 48 FEET. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
--PARKING: AS REQUIRED BY THE ORDINANCE, THE PETITIONER WILL PROVIDE A MINIMUM OF FIVE (5) ELECTRIC VEHICLE (EV) CHARGING STATIONS WITHIN EACH MULTI-FAMILY COMMUNITY (DEFINED AS "A RESIDENTIAL COMMUNITY MADE UP OF THREE OR MORE MULTI-FAMILY BUILDINGS CONTAINING MORE THAN 12 UNITS IN EACH BUILDING") DEVELOPED ON THE SITE. THE FIVE (5) CHARGING STATIONS WILL HAVE A LEVEL 2 ELECTRICAL VEHICLE SUPPLY EQUIPMENT CHARGING STATION INSTALLED (EVSE-INSTALLED: INSTALLATION OF A LEVEL 2 ELECTRICAL VEHICLE CHARGING STATION).
--SETBACKS & YARDS: SHALL BE AS REQUIRED BY THE ORDINANCE OR DESCRIBED IN THE DEVELOPMENT STANDARDS AND GENERALLY DEPICTED ON THE REZONING PLAN.

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 FILED BY LONGBRANCH & REVENTURE PARK INVESTMENTS NORTH, LLC (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 102 ACRE SITE LOCATED ON THE NORTHERN SIDE OF MT. HOLLY RD AND ADJACENT TO LAKE WYLIE/CATAWBA RIVER (THE "SITE").
b. 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 (THE "ORDINANCE"). UNLESS THE REZONING PLAN MODIFIES THE STANDARDS UNDER THE INNOVATIVE PROVISIONS OR MORE STRINGENT STANDARDS AS PART OF THE CONDITIONAL SITE PLAN, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE PROVISIONS PROVIDED BELOW.
c. DEVELOPMENT AREAS. FOR EASE OF REFERENCE AND AS AN ORGANIZING PRINCIPAL ASSOCIATED WITH THE MASTER PLANNED UNIFIED DEVELOPMENT, THE REZONING PLAN SETS FORTH TWO (2) DEVELOPMENT AREAS (AND AS APPLICABLE OTHER SUB-AREAS WITHIN THE DEVELOPMENT AREAS) AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREAS A AND B. (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS"). 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 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, THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED ON THE REZONING PLAN, 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:

1. 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. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED WITHIN DEVELOPMENT AREA B WILL BE LIMITED TO 45. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS, AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.

2. PERMITTED USES AND DEVELOPMENT AREA LIMITATIONS:

- a. A MAXIMUM OF 810 RESIDENTIAL DWELLING UNITS COMPOSED OF ATTACHED DWELLINGS, MULTI-FAMILY DWELLINGS UNITS, DUPLEXES, TRIPLEXES, QUADPLEXES AND BY THE MX-2 ZONING DISTRICT AND THE INNOVATIVE PROVISIONS BELOW ARE ALLOWED ON THE SITE. THE UNIT TYPES ALLOWED IN EACH DEVELOPMENT AREA MAY BE RENTED OR SOLD.
b. WITHIN DEVELOPMENT AREA A, ANY OF THE ALLOWED RESIDENTIAL DWELLING UNIT TYPES MAY BE CONSTRUCTED; AND WITHIN DEVELOPMENT AREA B, ONLY ATTACHED DWELLING UNITS MAY BE CONSTRUCTED (UNITS MAY BE RENTED OR SOLD) AS ALLOWED BY RIGHT, UNDER PRESCRIBED CONDITIONS, AND BY THE INNOVATIVE PROVISIONS BELOW. TOGETHER WITH ACCESSORY USES AS PERMITTED IN THE MX-2 ZONING DISTRICT, INCLUDING, WITHOUT LIMITATION, COMMUNITY CLUBHOUSE, RECREATION, OPEN SPACE AND RELATED USES (E.G. IMPROVED PASSIVE AND ACTIVE OPEN SPACES, /GATHERING SHELTERS, GAZEBOs, BALL FIELDS, MAINTENANCE BUILDINGS, OUTDOOR RECREATIONAL USES, COMMUNITY BOAT DOCKS, AND OTHER USES TYPICALLY ASSOCIATED WITH RESIDENTIAL COMMUNITIES).

3. INNOVATIVE PROVISIONS:

AS PART OF THE APPROVAL OF THIS PETITION THE PETITIONER SEEKS THE FOLLOWING INNOVATIVE PROVISIONS:

- TO ALLOW SINGLE-FAMILY DETACHED DWELLING UNITS AND OR DUPLEXES:
O TO BE PART OF A PLANNED MULTI-FAMILY DEVELOPMENT OR TO BE DEVELOPED INDEPENDENTLY WITH:
• NO MINIMUM LOT SIZES.
• NO MINIMUM REQUIRED FRONTAGE ON A PUBLIC OR PRIVATE STREET (THE OVERALL PARCEL ON WHICH THE UNITS ARE LOCATED MUST HAVE FRONTAGE ON A PUBLIC STREET).
• NO MINIMUM SIDE OR REAR YARDS.
• A MINIMUM BUILDING SEPARATION OF 10 FEET MUST BE MAINTAINED.

THE ANTICIPATED LAYOUT OF THE PROPOSED DETACHED UNITS AND DUPLEX UNITS ARE ILLUSTRATED ON SHEET RZ-2. EACH DETACHED UNIT AND DUPLEX BUILDING WILL HAVE A SHARED COURTYARD OR PRIVATE OPEN SPACE AREA.

- TO ALLOW PARKING AREAS ASSOCIATED WITH THE ALLOWED RESIDENTIAL USES TO BE LOCATED WITHIN 15 FEET OF THE RIGHT-OF-WAY LINE ON THE NEW INTERNAL PUBLIC STREETS (THIS WOULD NOT APPLY TO PARKING ON INDIVIDUAL DRIVEWAYS).
— TO ALLOW THE DETACHED UNITS OR DUPLEXES TO BE MORE THAN 400 FEET FROM A PUBLIC OR PRIVATE STREET THAT PROVIDES IT WITH ACCESS.

THE PETITIONER MAY REQUEST MODIFICATIONS TO THE INNOVATIVE PROVISIONS OR PROPOSE ADDITIONAL INNOVATIVE PROVISIONS AFTER THE APPROVAL OF THE REZONING PETITION AS ALLOWED BY THE ORDINANCE.

4. TRANSPORTATION IMPROVEMENTS, & ACCESS:

THE PETITIONER PLANS TO PROVIDE OR CAUSE TO BE PROVIDED ON ITS OWN OR IN COOPERATION WITH OTHER PARTIES WHO MAY IMPLEMENT PORTIONS OF THE IMPROVEMENTS SET FORTH BELOW TO BENEFIT OVERALL TRAFFIC PATTERNS THROUGHOUT THE AREA IN ACCORDANCE WITH THE FOLLOWING IMPLEMENTATION PROVISIONS:

- 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):

I. PROPOSED IMPROVEMENTS:

1. EAST CHARLOTTE AVENUE & HIGHLAND STREET (SIGNALIZED) – GASTON COUNTY

- NO SUGGESTED IMPROVEMENTS

2. MT. HOLLY ROAD & BELMEADE ROAD/ACCESS "A" (UNSIGNALIZED)

WE PROPOSE THE FOLLOWING RIGHT-IN/RIGHT-OUT ACCESS CONFIGURATION AND IMPROVEMENTS:

- ONE INGRESS AND ONE EGRESS LANE (A TERMINATING SOUTHBOUND RIGHT TURN LANE) ON PROPOSED ACCESS "A"
• INSTALL TYPICAL MINIMUM 4-FOOT-WIDE MONOLITHIC RAISED MEDIAN ON MT HOLLY ROAD
• REPAVE THE ROADWAY SO THAT THE EXISTING LEFT TURN DROP LANE ON WESTBOUND MT. HOLLY ROAD CAN BE UTILIZED AS AN ADDITIONAL WESTBOUND THRU LANE
• CONSTRUCT A WESTBOUND RIGHT TURN LANE WITH 200 FEET OF STORAGE

3. MT. HOLLY ROAD & BELMEADE DRIVE (UNSIGNALIZED)

- CONSTRUCT A NORTHBOUND LEFT-RIGHT TURN LANE WITH 300 FEET OF STORAGE ON BELMEADE DRIVE
• CONSTRUCT AN ADDITIONAL WESTBOUND THRU LANE WITH 200 FEET OF STORAGE ON MT. HOLLY ROAD
• INSTALL A TRAFFIC SIGNAL (CONSTRUCT INTERSECTION #3 AND #6 AS ONE SIGNAL AS OFFSET "T" INTERSECTIONS)

4. MT. HOLLY ROAD & MT. HOLLY-HUNTERSVILLE ROAD (SIGNALIZED)

- CONSTRUCT AN ISLAND TO CHANNELIZE THE EASTBOUND RIGHT TURN LANE WITH YIELD CONTROL TO OPERATE FREE FROM THE SIGNAL

5. MT. HOLLY ROAD & GARRON POINT DRIVE (UNSIGNALIZED)

- RE-MARK THE SOUTHBOUND LANE TO HAVE A SOUTHBOUND LEFT TURN LANE AND A SOUTHBOUND RIGHT TURN LANE WITH 125 FEET OF STORAGE

6. MT. HOLLY ROAD & ACCESS "B" (UNSIGNALIZED)

WE PROPOSE THE FOLLOWING ACCESS CONFIGURATION AND IMPROVEMENTS:

- ONE INGRESS AND TWO EGRESS LANE (A TERMINATING SOUTHBOUND LEFT TURN LANE AND A SEPARATE SOUTHBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE) ON PROPOSED ACCESS "B"
• CONSTRUCT AN EASTBOUND LEFT TURN LANE WITH 200 FEET OF STORAGE ON MT. HOLLY ROAD
• CONSTRUCT A WESTBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE ON MT. HOLLY ROAD
• INSTALL A TRAFFIC SIGNAL (CONSTRUCT INTERSECTION #3 AND #6 AS ONE SIGNAL AS OFFSET "T" INTERSECTIONS)

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 WEST MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT.

b. SUBSTANTIAL COMPLETION. REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 4.II ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 4.II.A ABOVE PROVIDED, HOWEVER, IN THE 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 WILL 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.

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 WAY. 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 ANY SUCH ADDITIONAL RIGHT OF WAY UPON COMMERCIALLY REASONABLE TERMS AND AT MARKET PRICES, THEN THE 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 PRUDENT EFFORTS. FURTHERMORE, THE PETITIONER AGREES TO COMPLETE THE APPLICABLE ROADWAY IMPROVEMENTS IN CONNECTION WITH 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 PHASING DESCRIBED ABOVE, THEN THE CDOT OR NCDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS; PROVIDED, HOWEVER, THE PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROADWAY 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 REASONABLY AGREEABLE TO THE PETITIONER, THE CDOT OR NCDOT AS APPLICABLE.

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 TO BE DEDICATED, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. 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. THE PERMANENT SIDEWALK UTILITY EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE. A MINIMUM OF 52 FEET OF RIGHT-OF-WAY WILL BE DEDICATED TO CDOT/NCDOT ALONG THE SITE FRONTAGE ON MT. HOLLY RD AS MEASURED FROM THE EXISTING CENTER LINE. THE PETITIONER WILL ALSO DEDICATE ADDITIONAL RIGHT-OF-WAY FOR THE EXTENSION OF EAGLE FEATHERS DR. BY OTHERS AS GENERALLY DEPICTED ON THE REZONING PLAN.

e. 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 AGREEMENT OF PETITIONER, THE CDOT, NCDOT AND THE PLANNING DIRECTOR; PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION IN 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:

a. ACCESS TO THE SITE WILL BE FROM MT. HOLLY ROAD, AND FROM THE EXTENSION OF EAGLE FEATHERS DRIVE, SQUAW DRIVE, AND TURKEY POINT DRIVE AS GENERALLY DEPICTED ON SHEET RZ-2.

b. THE PETITIONER WILL CONSTRUCT A 12-FOOT MULTI-USE-PATH (MUP) ALONG THE SITE'S FRONTAGE ON MT. HOLLY HUNTERSVILLE RD. AS GENERALLY DEPICTED ON THE REZONING PLAN. THE CONSTRUCTION OF THE PATH MAY BE PHASED IN COORDINATION WITH THE CONSTRUCTION OF THE DEVELOPMENT AREAS.

c. THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK ALONG THE SITE'S NETWORK REQUIRED STREETS.

d. THE PETITIONER WILL CONSTRUCT A PUBLIC/PRIVATE STREET NETWORK AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PROPOSED INTERNAL STREETS WILL BE CONSTRUCTED TO MEET USDO STANDARDS. THE USDO STANDARD PROPOSED FOR EACH STREET HAS BEEN NOTED ON THE REZONING PLAN. THE INTERNAL STREETS MAY EITHER BE PUBLIC OR PRIVATE STREET OR BUILT TO PUBLIC STREET STANDARDS WITH PUBLIC ACCESS EASEMENTS. THE INTERNAL STREET NETWORK MAY BE PHASED IN COORDINATION WITH THE CONSTRUCTION OF THE DEVELOPMENT AREAS.

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/OR DURING THE CONSTRUCTION OF THE 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 TOWNHOME (ATTACHED DWELLING UNITS) LOCATED WITHIN DEVELOPMENT AREA B WILL BE ACCESS VIA INTERNAL ALLEYS OR PRIVATE STREETS. INDIVIDUAL DRIVEWAYS FROM THE ATTACHED DWELLING UNITS TO THE NETWORK REQUIRED STREETS WILL NOT BE ALLOWED.

g. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

6. ARCHITECTURAL AND SITE STANDARDS AND PARKING LOCATION RESTRICTIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE (DEVELOPMENT AREAS A AND B) MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS (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, CEMENTITIOUS SIDING (SUCH AS HARDY-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.

b. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS, LOCATED IN DEVELOPMENT AREA A, ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPLY WITH A MINIMUM OF 20% 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.

c. MULTI-FAMILY RESIDENTIAL BUILDINGS OTHER THAN ATTACHED UNITS WITHIN DEVELOPMENT AREA A SHALL ADHERE TO THE FOLLOWING STANDARDS:

I. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS, THROUGH THE FOLLOWING:

- a. BUILDINGS SHALL BE PLACED TO PRESENT A FRONT OR ENHANCED SIDE FAÇADE TO ALL NETWORK STREETS (PUBLIC OR PRIVATE).
b. BUILDINGS SHALL FRONT A MINIMUM OF [50%] OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).
c. THE PRINCIPAL ENTRANCE TO THE BUILDINGS, BOTH FUNCTIONALLY AND ARCHITECTURALLY, SHALL FRONT ON THE NETWORK REQUIRED STREET OR A PUBLIC OPEN SPACE SUCH AS A SQUARE, PLAZA, OR COURTYARD.
d. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY REQUIRED PUBLIC OR PRIVATE STREET AND A BUILDING, UNLESS THEY ARE ASSOCIATED WITH A PUBLIC OR PRIVATE AMENITY, OR SERVICE BUILDING.

II. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

a. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF THREE (3) FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF TWO (2) FEET EXTENDING THROUGH THE BUILDING.

III. ARCHITECTURAL ELEVATION DESIGN – ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

- a. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS
b. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FAÇADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES
c. 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

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

- a. 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
b. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS
c. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET
c. ATTACHED RESIDENTIAL UNITS WITHIN DEVELOPMENT AREA B AND IF CONSTRUCTED WITHIN DEVELOPMENT AREA A SHALL ADHERE TO THE FOLLOWING STANDARDS:

I. 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.

II. 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.

III. TOWNHOME UNITS ALONG A NETWORK REQUIRED STREET WILL PRESENT A FRONT ELEVATION TO THE NETWORK REQUIRED STREET.

IV. 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.

V. USABLE PORCHES AND/OR STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND WILL BE LOCATED ON THE FRONT OF A UNIT WHEN THE PROPOSED UNITS FRONT ON A NETWORK REQUIRED STREET. USABLE FRONT PORCHES, WHEN PROVIDED, SHALL BE COVERED AND BE AT LEAST 3 FEET DEEP. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHALL NOT BE ENCLOSED. STOOPS ARE NOT REQUIRED TO BE 5' MINIMUM DEPTH BUT SHALL HAVE A COVERING OVER THE ENTRY DOOR. UNITS WITH FRONTAGE ONLY ON THE INTERNAL PARKING AREAS OR PRIVATE ALLEYS ARE NOT REQUIRED TO PROVIDE A PORCH OR A STOOP.

VI. 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 LEVELS OR SUPPLEMENTAL LANDSCAPING TO BUFFER THE UNIT.

VII. TOWNHOME UNITS WITH GARAGES WILL NOT BE ALLOWED TO HAVE INDIVIDUAL DRIVEWAYS FROM NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE). TOWNHOME UNITS WITH GARAGES MAY HAVE ACCESS AND FRONT ON AN ALLEY OR NON-NETWORK PUBLIC OR PRIVATE STREET.

VIII. TOWNHOUSE BUILDINGS FRONTING PUBLIC OR PRIVATE NETWORK REQUIRED STREETS SHALL BE LIMITED TO SEVEN (7) INDIVIDUAL UNITS OR FEWER.

7. STREETScape, LANDSCAPING AND BUFFER:

a. SETBACK AND YARDS AS REQUIRED BY THE STANDARDS OF THE MX-2 ZONING DISTRICT, UNLESS MODIFIED BY THE INNOVATIVE PROVISIONS WILL BE PROVIDED. GREATER SETBACKS WHEN REQUIRED SHALL BE PROVIDED AS INDICATED ON THE REZONING PLAN.

b. THE PETITIONER MAY UTILIZE THE PROVISIONS OF SECTION 9.303.(19) TO REDUCE THE SETBACK ALONG THE INTERNAL STREET NETWORK INCLUDING THE NETWORK REQUIRED STREETS TO 15 FEET. THE PETITIONER MAY ALSO UTILIZE THE INNOVATIVE PROVISIONS TO REQUEST A REDUCED SETBACK.

c. ALONG THE SITE'S INTERNAL PUBLIC STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS ALL OF THE PRINCIPAL BUILDINGS ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC OR PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE A MINIMUM OF SIX (6) FEET.

d. A CLASS C BUFFER AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED BETWEEN THE UNITS IN DEVELOPMENT AREA B AND THE EXISTING SINGLE-FAMILY HOMES ON TRIBAL DRIVE. EITHER A 50-FOOT WIDE CLASS C BUFFER OR A 37.5-FOOT WIDE CLASS C BUFFER WITH A SOLID DECORATIVE FENCE WILL BE PROVIDED ALONG THIS PROPERTY BOUNDARY.

e. DUE TO THE PRESENCE OF INDUSTRIAL ZONING AND USE ON THE OPPOSITE SIDE OF THE MT. HOLLY RD. FROM THE SITE HALF OF A CLASS A BUFFER AS REQUIRED BY SECTION 12.302 OF THE ORDINANCE, HOWEVER, DUE THE WIDTH OF THE RIGHT-OF-WAY FOR MT. HOLLY RD. (100 FEET), AND THE PRESENCE OF A 200 FOOT WIDE RAIL ROAD RIGHT-OF-WAY ADJACENT TO MT. HOLLY RD., BOTH OF WHICH HAVE THE EFFECT OF LIMITING ANY INDUSTRIAL DEVELOPMENT WITHIN CLOSE PROXIMITY OF THE SITE AND ELIMINATING THE NEED FOR A TRADITIONAL CLASS A BUFFER THE PETITIONER RESERVES THE RIGHT TO REQUEST AN ALTERNATIVE BUFFER TREATMENT AS ALLOWED BY SECTION 12.304 OF THE ORDINANCE.

8. ENVIRONMENTAL FEATURES:

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 IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. DEVELOPMENT WITHIN ANY SWM/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.

c. THE SITE WILL COMPLY WITH LOWER LAKE WYLIE CRITICAL AREA HIGH DENSITY REQUIREMENTS OF THE ORDINANCE.

d. THE SITE WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE CITY POST CONSTRUCTION STORMWATER ORDINANCE.

e. TREE SAVE AND PCO REQUIRED OPEN SPACE MAY BE COMBINED INTO OVERALL REZONING BOUNDARY IN EVENT THE PROJECT IS PHASED OR PERMITTED SEPARATELY.

9. OPEN SPACE:

a. A MINIMUM OF 10% OF THE SITE WILL BE SET ASIDE AS COMMON OPEN SPACE AS REQUIRED BY THE MX-2 ZONING DISTRICT. AREAS OF THE REQUIRED COMMON OPEN SPACE WILL BE IMPROVED WITH ACTIVE OR PASSIVE OPEN SPACE AMENITIES OR LEFT IN THEIR NATURAL STATE AS ALLOWED BY THE MX-2 ZONING DISTRICT. THE FINAL LOCATION AND THE PROPOSED IMPROVEMENTS TO COMMON OPEN SPACE WILL BE DETERMINED DURING THE PERMITTING PROCESS FOR THE SITE. THE COMMUNITY DOCKS ALONG THE CATAWBA RIVER MAY ALSO BE PART OF THE OPEN SPACE IMPROVEMENTS SUBJECT TO APPROVAL BY THE APPROPRIATE REGULATORY AGENCIES. THE GENERAL LOCATION OF THE PROPOSED COMMON OPEN SPACE AREAS IS GENERALLY DEPICTED ON THE REZONING PLAN. ANY PORTION OF THE SITE DEDICATED TO MECKLENBURG COUNTY FOR A PARK WILL ALSO BE COUNTED TOWARD THE AS PART OF THE REQUIRED COMMON OPEN SPACE FOR THE SITE.

10. DEDICATION AND CONVEYANCE OF LAND TO MECKLENBURG COUNTY FOR PARK:

a. THE PETITIONER WILL DEDICATE AND CONVEY TO MECKLENBURG COUNTY FOR USE AS PARK APPROXIMATELY 2.0 ACRES OF LAND LOCATED ALONG THE CATAWBA RIVER AS GENERALLY DEPICTED ON THE REZONING PLAN. THE LAND TO BE DEDICATED AND CONVEYED MAY NOT INCLUDE TREE SAVE AREAS FOR THE REMAINDER OF THE SITE. THE DEDICATION AND CONVEYANCE OF THE 2.0 ACRES WILL OCCUR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY OF THE UNITS LOCATED WITHIN DEVELOPMENT AREA A-2. THE PETITIONER WILL WORK WITH COUNTY PARK AND RECREATION DURING THE PERMITTING PROCESS FOR DEVELOPMENT AREA A-2 TO REFINE AND IDENTIFY THE FINAL LOCATION AND BOUNDARIES OF THE AREA TO BE CONVEYED AND DEDICATED. THE ACTUAL AREA ULTIMATELY CONVEYED MAY VARY FROM WHAT IS GENERALLY DEPICTED ON THE REZONING PLAN.

11. SIGNAGE:

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 USE IN DEVELOPMENT AREAS A AND B, AND VICE-VERSA.

12. LIGHTING:

a. ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, OR DOWNWARDLY DIRECTED.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREETLIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 25 FEET IN HEIGHT.

13. AMENDMENTS TO THE REZONING PLAN:

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 AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

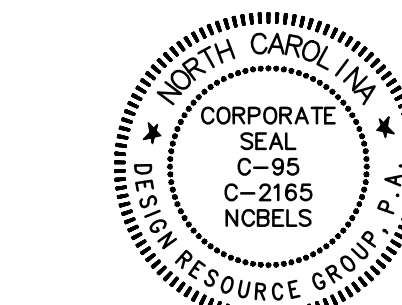
14. BINDING EFFECT OF THE REZONING APPLICATION:

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.

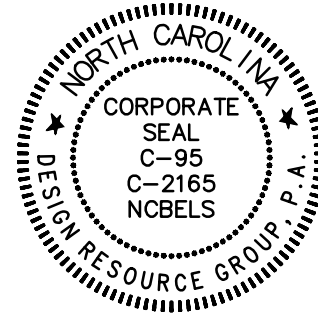
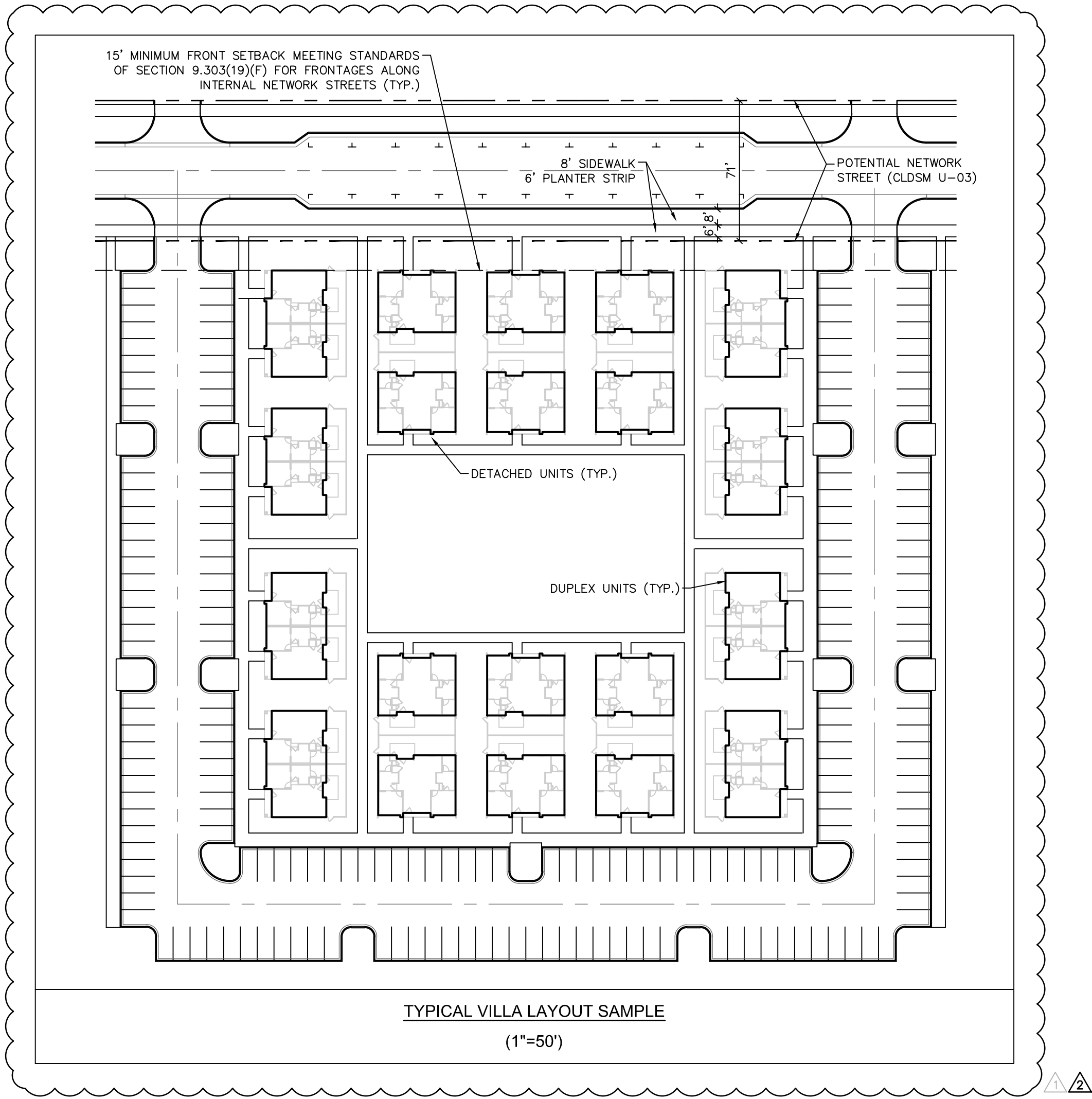


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REZONING PETITION
FOR PUBLIC HEARING
2021-215

REZONING PETITION

MT HOLLY RD - RIVERSIDE
CHARLOTTE (ETJ), NORTH CAROLINA
LONGBRANCH DEVELOPMENT, LLC
&
REVENTURE PARK
INVESTMENTS NORTH, INC.

**TECHNICAL
DATA SHEET**



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CHECKED BY: NB

AUGUST 27, 2021

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2.14.22 - PER STAFF COMMENTS
3.25.22 - PER STAFF COMMENTS