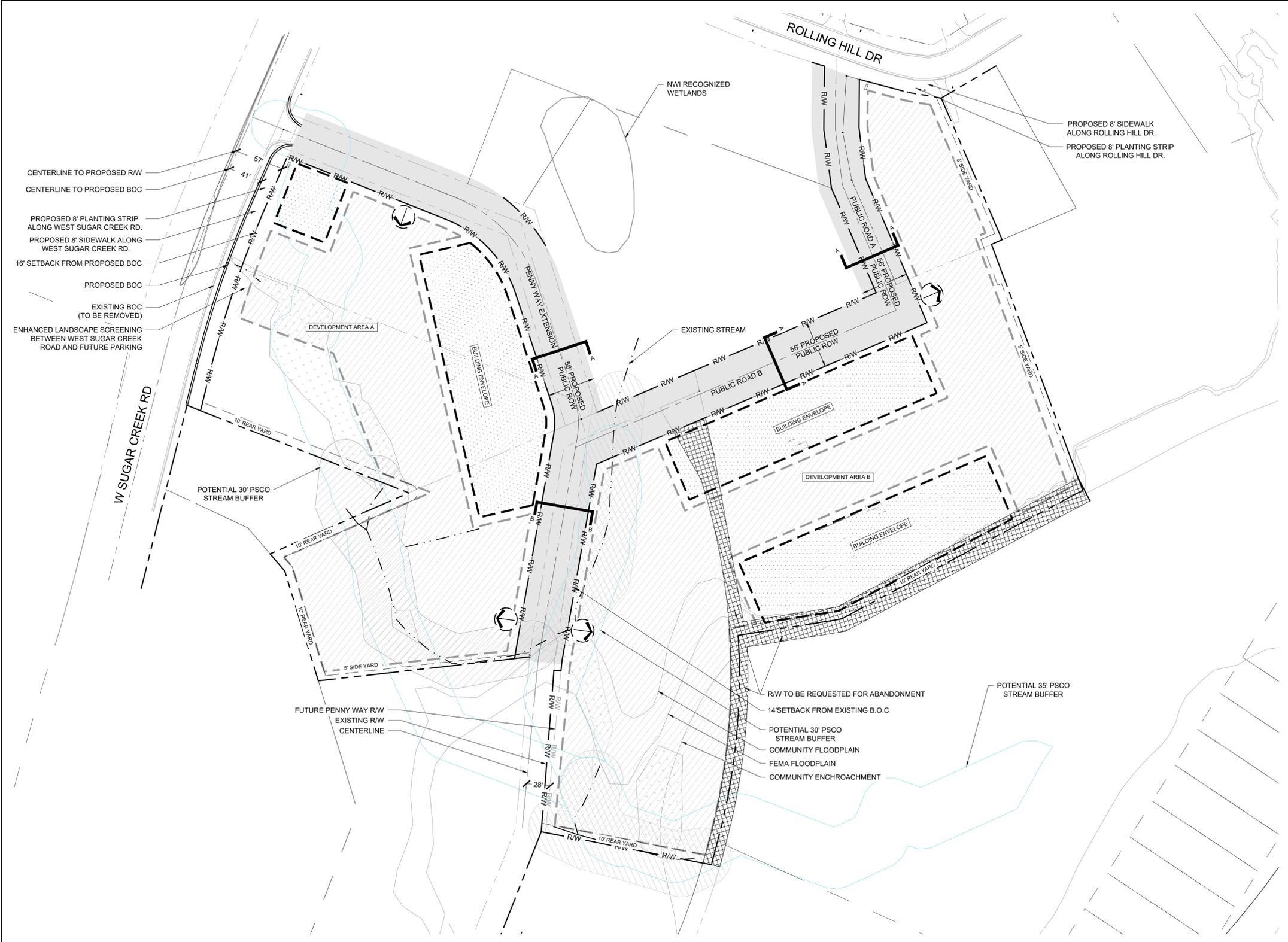


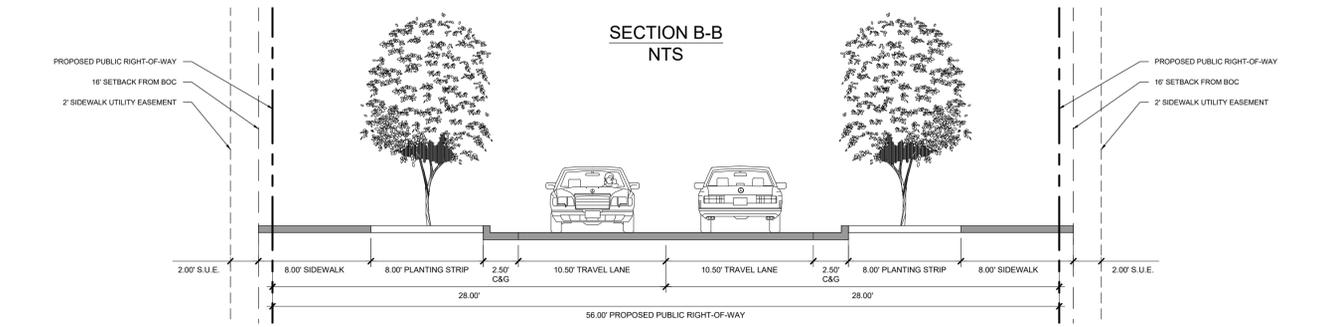
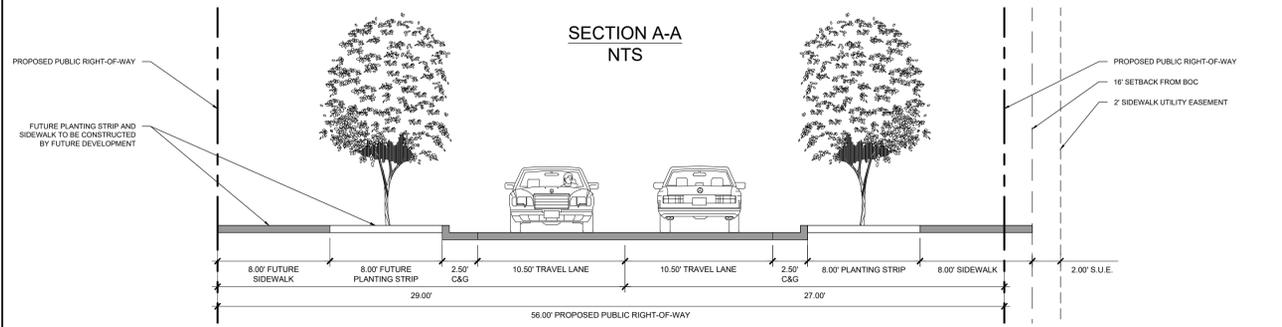


**SITE LEGEND**

- PUBLIC ROW**
- BUILDING ENVELOPE**
- PARKING/VEHICULAR CIRCULATION ENVELOPE**
- R/W TO BE REQUESTED FOR ABANDONMENT**
- POTENTIAL ACCESS**



**TYPICAL CROSS SECTIONS**



KEY MAP

SEAL

PROJECT

**SUGAR CREEK APARTMENTS**

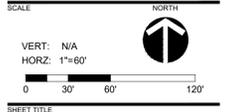
CHARLOTTE, NC  
 REZONING PETITION #2020-180

LANDDESIGN PROJ.# 1020242

**REVISION / ISSUANCE**

NO.	DESCRIPTION	DATE
0	FIRST SUBMITTAL	10.22.2020
1	REZONING SUBMITTAL	01.08.2021
2	PER STAFF COMMENTS	02.22.2021
3	PER STAFF COMMENTS	03.08.2021

DESIGNED BY: MDG  
 DRAWN BY: CKS  
 CHECKED BY: FJM



**SCHEMATIC SITE PLAN**

SHEET NUMBER

**RZ-2**

DEVELOPMENT STANDARDS

March 8, 2021

I. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application filed by NRP Properties, LLC to accommodate the development of a multi-family residential community on that approximately 9.19 acre site located generally at the southeast corner of the intersection of West Sugar Creek Road and Penny Way, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a Tax Parcel Nos. 089-012-01, 089-012-02, 089-013-02, 089-013-04, 089-014-17 and 089-035-54.
B. The development 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 for the UR-2 zoning district shall govern the development and use of the Site.
C. 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 landscaping 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. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
D. For entitlement purposes, the Site is divided into two development areas that are designated on the Rezoning Plan as Development Area A and Development Area B.
E. Buildings constructed on the Site shall be located within the Building Envelopes depicted on Sheet RZ-2 of the Rezoning Plan. Parking and vehicular circulation areas constructed on the Site shall be located within the Parking/Vehicular Circulation Envelopes depicted on Sheet RZ-2 of the Rezoning Plan.
F. 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. The Site may only be devoted to a multi-family residential community containing a maximum of 200 multi-family dwelling units and to any incidental and accessory uses relating thereto that are allowed in the UR-2 zoning district. Customary incidental and accessory uses may include, without limitation, a leasing and management office and amenities for the residents.
B. The dwelling units constructed on the Site shall maintain monthly rents that are income restricted to households earning on average 60% of the area median income for a period of not less than 15 years from the date of the issuance of the first certificate of occupancy for a new building constructed on the Site.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
B. The alignments of the internal driveways and vehicular circulation areas may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
C. Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the issuance of a certificate of occupancy for the first new building constructed on the Site, construct an ADA compliant bus waiting pad per land development standard 60.03A within the required planting strip along the Site's frontage on West Sugar Creek 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.
D. Prior to the issuance of a certificate of occupancy for the first new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to West Sugar Creek Road as required to provide right of way measuring 57 feet from the existing centerline of West Sugar Creek Road, to the extent that such right of way does not already exist.
E. The curb and gutter along the Site's frontage on West Sugar Creek Road shall be located 41 feet from the existing centerline of West Sugar Creek Road.
F. Petitioner and the relevant adjacent property owners may submit a Petition to CDOT requesting the abandonment and closing of the unopened rights of way that are designated on the Rezoning Plan. Upon the abandonment and closing of the unopened rights of way that are designated on the Rezoning Plan, the abandoned and closed unopened rights of way shall be incorporated into the Site and the relevant adjacent parcels of land. The abandonment of these unopened rights of way will be subject to the Right of Way Abandonment process governed by the North Carolina General Statutes.
G. The limits of the improvement to be constructed by Petitioner within the Penny Way right of way are depicted on the Rezoning Plan.
H. Petitioner shall reserve for future right of way for the extension of Penny Way by others (and not Petitioner) from the southern terminus of that portion of Penny Way to be constructed by Petitioner to North Tryon Street (the "Penny Way Extension") those portions of the Site that are depicted on the Rezoning Plan and labeled "Future Penny Way Right of Way" (the "Future Penny Way Right of Way"). The Future Penny Way Right of Way shall be dedicated and conveyed to the City by Petitioner upon the request of the City when the Penny Way Extension is to be constructed by others.
I. After the first building permit is issued for the Site and prior to the issuance of a certificate of occupancy for the first new building constructed on the Site, Petitioner shall pay the sum of one hundred thousand dollars (\$100,000) to the City (the "Transportation Improvement Funds"). The Transportation Improvement Funds shall be applied by the City to the cost of one of the transportation improvements set out below to be constructed by the City.
(1) The construction of the Penny Way Extension (defined above in paragraph H); or
(2) The construction of enhanced transportation improvements located within one-half mile of the Site as identified by CDOT and/or CATS (i.e., transit, safety, pedestrian upgrades such as the Cross-Charlotte Trail).
J. All transportation improvements required to be constructed by Petitioner, including the minimum 8 foot wide planting strips and the minimum 8 foot wide sidewalks, will be approved and constructed prior to the issuance of a certificate of occupancy for the first new building constructed on the Site.
K. Petitioner will dedicate to the City of Charlotte or to NCDOT as applicable via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of a certificate of occupancy for the first new building constructed on the Site. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

4. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of any building constructed on the Site shall be 4 stories.
B. The architectural and design standards set out below shall apply to each principal building constructed on the Site.
(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 facade 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:
(a) Vinyl siding (but not vinyl hand rails, windows, soffits, doors or door trim).
(b) Concrete masonry units not architecturally finished. This limitation shall not apply to retaining walls that are not attached to a building.
(3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
(a) Buildings shall be placed so as to present a front or side facade to all network required streets (public or private).
(b) All buildings shall be located within a building envelope depicted on the Rezoning Plan.
(c) 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:
(a) 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 - building elevations shall be designed to create visual interest as follows:
(a) 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.
(b) 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 the Preferred Exterior Building Materials or articulated architectural facade 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 not 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:
(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.
(7) Service Area Screening - services 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 feet in depth at all above grade perimeter not paved for access.
(8) Sidewalk extensions shall be provided between all street trees on all public and private network required streets when on-street parking is adjacent.
C. Rear and side yards shall be provided as required under the Ordinance.
D. A sidewalk connection from the door located at each end of each multi-family building constructed on the Site to the sidewalk located along the adjacent public street shall be provided. There shall be no direct pedestrian connections from individual dwelling units to the sidewalk located along the adjacent public street.

5. SECURITY IMPROVEMENTS/FEATURES

- A. A lighting plan shall be implemented on the Site, pursuant to which each entrance into a multi-family building, the entrances to the clubhouse building, the internal sidewalks and the parking lots will be lit to a minimum of 0.5 lumens.
B. A security camera shall be installed at each entrance into a multi-family building and at each entrance into the clubhouse building.
C. Each multi-family dwelling unit shall have an exterior balcony or porch.
D. A sign identifying the residential community shall be installed at the main vehicular entrance into the residential community. Petitioner shall designate which entrance is the main vehicular entrance.
E. Each entrance into each multi-family building shall be a controlled access entrance for security purposes, and intercoms that connect visitors to residential dwelling units shall be installed at each entrance into each multi-family building.
F. Shrubs shall be installed around the perimeter of each multi-family building.
G. A sign advising that the premises are monitored by 24 hour video surveillance video shall be installed at each vehicular entrance into the Site.

6. STREETSCAPE/LANDSCAPING AND SCREENING

- A. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's public street frontages as generally depicted on the Rezoning Plan, including, without limitation, along Sections A-A and B-B.
B. The minimum 8 foot wide sidewalks, or portions thereof, may be located in a sidewalk utility easement located 2 feet behind the back of sidewalk if they are not located in public right of way.
C. The minimum 8 foot wide planting strips and the minimum 8 foot wide sidewalks will be approved and constructed prior to the issuance of a certificate of occupancy for the first new building constructed on the Site.
7. 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 City of Charlotte Tree Ordinance. Petitioner has the option to buy out of the tree save requirements or to utilize any other options afforded under the City of Charlotte Tree Ordinance for site's located in a corridor.
C. Trees in public street rights of way must be preserved. A tree survey of trees located in the public street rights of way will be required with permit plan review. The removal of trees located within public street rights of way may require mitigation of those trees.
D. 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.

8. AMENITIES

- A. At a minimum, the following amenities shall be provided on the Site: a clubhouse with a fitness center, covered picnic areas with grills, a playground/tot lot and 3 outdoor seating areas with benches.
B. The combined minimum size of the covered picnic areas with grills, the playground/tot lot and outdoor seating areas shall be 7,500 square feet.

9. 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.

KEY MAP

SEAL

PROJECT

SUGAR CREEK APARTMENTS

CHARLOTTE, NC
REZONING PETITION #2020-180

LANDDESIGN PROJ.# 1020242

REVISION / ISSUANCE

Table with 3 columns: NO, DESCRIPTION, DATE. Row 1: 0, FIRST SUBMITTAL, 10.22.2020. Row 2: 1, REZONING SUBMITTAL, 01.08.2021. Row 3: 2, PER STAFF COMMENTS, 02.22.2021. Row 4: 3, PER STAFF COMMENTS, 03.08.2021.

DESIGNED BY: MDG
DRAWN BY: CKS
CHECKED BY: FJM

SCALE NORTH

VERT: N/A
HORZ: NTS

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-3