

DAVIDSON CONDOS

Conditional Map Amendment

Site Notes + Conditions

07/20/2022

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INTRODUCTORY COMMENTS

- All statements below are proposed for inclusion as part of the Conditional Map Amendment. They are based on ordinance requirements, staff review, precedents, and relevant plans/policies. References to applicable notes'/conditions' origin are included. See the [Davidson Comprehensive Plan](#) and [Mobility Plan](#) for Policy/Action Item or Action Step references (i.e., abbreviated CP P 2.2.6, A 5.2.7 or MP AS 2.5).

SITE NOTES (MP-03)

1. **Master Plan:** The site plan, associated notes, and conditions are a condition of approval and based upon the Davidson Planning Ordinance in effect on July 1, 2021.
2. **Modifications:** The site configurations and placements (including but not limited to lot sizes, parking layouts, and open spaces) are schematic in nature and may be altered and/or modified during the Preliminary Plat process in accordance with ordinance requirements and Planning Director approval.
3. **Subdivision:** The site may be subdivided to create rights-of-way, open spaces, and easement access areas.
4. **Built-Upon Area:** The project is located in the Lake Norman Critical Watershed and shall meet the low-density requirements for DPO 17 Watershed Protection Overlay District and DPO 20 Post-Construction Stormwater Ordinance (as applicable).
5. **Open Spaces/Amenities:** Designated open space and amenity areas shall be privately-maintained and must be developed generally as shown on the schematic design.

CONDITIONS

1. **Setbacks:** The permitted front setback shall be as follows: 100' Minimum; 135' Maximum.
2. **Architecture:** The final building design as approved by the Design Review Board must conform substantially to the design presented to the Board of Commissioners at the time of Conditional Map Amendment approval. Unless otherwise noted, all applicable Davidson Planning Ordinance requirements pertaining to the building design, architectural components, and context must be met. Building plans shall receive DRB approval by December 2022. [CP GPP Design]
3. **Housing:**

- a. **Universal Design:** Two units, including one ground floor unit, shall be designed according to the following specifications derived from ICC A117.1, Type C, Visitable Unit and LEED for Neighborhood Development v4 Visitability & Universal Design Options 1-3 principles. Dwelling units shall include at least six features from the Options and least one feature from each Option. [CP P 5.2.4/A 5.2.7]
 - b. **Affordable Housing:** The applicant shall pay \$40,840 in lieu of construction the required unit.
4. **Parking:**
- a. **Vehicular Parking:**
 - i. **Location:** Surface parking shall be as shown on the plan, ahead of the front façade, and shall be prohibited in driveways and in shared drive spaces.
 - ii. **Amount:** The project proposes 17 parking spaces – 12 interior and five exterior.
 - iii. **Electric Vehicle Charging:** The project shall provide two charging stations for electric vehicles – one interior to the building and one in the exterior parking lot.
 - iv. **Surface Lot Screening:** Surface parking lot screening shall be provided as shown on the plan using a mix of newly planted and existing vegetation. The combined vegetation shall meet the standards set forth in DPO 9.6.2.A-C, F-G. Disturbance to the natural buffer required in 9.6.2.F may occur as part of a tree/vegetation preservation plan approved by the Arborist.
 - v. **Garage Screening:** Given the angle of the Private Drive, screening of the building parking structure shall be provided as shown on the plan east of the parking areas and on each side of the drive to meet DPO 4.4.1.B.5.
 - b. **Bicycle Parking:** Bicycle parking, as required per DPO Section 8.3, will be provided in the proposed parking structure beneath the building and at the building rear. [MP AS 2.5]
5. **Waste Service Area:** The outdoor waste storage area shall be as shown on the plan, ahead of the front façade, and shall be prohibited in any other exterior site location.
6. **Street Improvements:**
- a. **Pedestrian Facilities:** The project will provide pedestrian facilities as shown on the plan. Specifically:
 - i. **Sidewalks:** The project shall provide a 6’ sidewalk along the north side of Griffith St. connecting from the existing sidewalk at the northwestern roundabout exit at I-77 to the eastern side of Northwest Drive. The 6’ sidewalk shall then extend south across Griffith St. and west across Southwest Dr. to connect to the project site at its driveway entrance. [MP Pg. 2, 75, 231]
 - ii. **Pedestrian Refuge:** A landscaped pedestrian refuge on Griffith St. not less than 5’ in width must be installed by extending the existing planted median. [MP Pg. 22, 85]
 - iii. **Crosswalks:** The project shall provide crosswalks at the following locations: The angled access drive to North Harbor Place Drive; North Harbor Place Drive; Griffith Street; and Southwest Drive. [MP Pg. 2, 22, 84, 231]

- b. **Bicycle Facilities:** The project shall provide payment-in-lieu for four sets of sharrow pavement markings and two bicycle lane share signs. The payment-in-lieu value shall be \$1,175.00 [MP Pg. 89]
7. **Open Space:** The following apply to the open space and park areas in-lieu of featuring public access or at a future point in time:
- a. **Payment-in-Lieu:** The project shall provide payment-in-lieu for publicly-accessible park space, open space, and amenities on the lakeshore not provided as part of this project scope. The payment-in-lieu value shall be \$109,961.66 [DPO 2.2.6.E, 7.4.1.F]
 - b. **Access Easements, Future Connection:** In the event that the boardwalk or shoreline on adjacent properties become publicly-accessible, the developer and/or HOA shall record via plat a publicly-accessible easement of not less than eight feet in width to the park and open space within 40 feet of the Lake Norman Full Pond Elevation. If properties on both sides become accessible, including at different times, the easement shall extend through the site from one side to the other and the easement re-recorded if necessary. The land within the access easement shall be improved to a natural walking surface by the Town of Davidson. In the event the developer/HOA fail to record the easement, the Town of Davidson shall be permitted to access the site, record the easement(s), and make improvements.
8. **Landscaping:**
- a. **Requirements:** Landscaping will be in accordance with Section 9 of the Davidson Planning Ordinance. The project shall plant a minimum of six species of vegetation that are native or adapted to the project's EPA Level III Ecoregion, including a minimum of two out of the following plant categories: Tree, shrub, and ground cover. Additionally, the project shall designate a portion of the site area for a pollinator garden consisting of native flowering plants and totaling at least 30 square feet. [CP P 2.2.2]
 - b. **Financial Contribution:** A \$25,000 contribution is to be made to the surrounding homeowner's association for landscaping improvements associated with screening the adjacent buildings from the proposed building. Developer to work with adjacent homeowners' associations to design plan. Plants to be chosen from the Town of Davidson Tree or Shrub list.
9. **Lighting:** All lighting installed in the right-of-way, common open space areas, and on the building exterior shall meet or exceed the back-uplight-glare (BUG) or calculation methods specified in LEED v4.1 Sustainable Sites Light Pollution Reduction. [CP P 2.3.2/A 2.3.3, 2.3.7]
10. **Rainwater Management:**
- a. **Mitigation Payment:** Based on the Davidson Condos Pollutant Load Analysis memo from Mecklenburg County, the developer shall make a nitrogen mitigation payment of \$15,274.30 to the Town of Davidson to offset development impacts. [CP P 2.2.6/A 5.2.7]

Commented [TA1]: The developer proposes a Total Payment-in-Lieu for the Park/Open Space of \$75,122.66. This amount includes all items except the Boardwalk Connection.

Commented [TA2]: The developer does not agree with this condition. The developer believes they should not be asked to provide payment-in-lieu for the publicly accessible park/open space and also be asked to provide future public access.

[CONTINUED]

11. Public Safety:

- a. **Lighting:** In concert with Lighting condition above, sufficient quantities of lighting shall be provided on the building exterior and within the parking structure to meet public safety needs (i.e., at building and unit entrances, addressing, etc.).
- b. **Signage/Addressing:** The building shall be adequately addressed from the access street and individual unit numbers labeled on the exterior and interior of the building. The building shall be addressed off of Southwest Drive.
- c. **Access:** The project shall provide a Knox Box for access by Fire Dept. personnel in the event of an emergency. The project shall provide a code and/or key fob for access to the building interior and parking structure by Police Dept. personnel in the event of an emergency. If a code is used it must not be changed unless a security breach occurs, and an updated code must be shared with the Police Department. If a key fob is used then a fob must be provided for each patrol car.

12. Utilities: This approval shall serve as the Board of Commissioners approval of the project's required sewer extension. All required CLT Water documents, including an approved Capacity Assurance Letter, must be provided for Construction Document approval.

13. Retaining Walls: Retaining walls shall be permitted up to a height of 12 feet without terracing as required by DPO 4.3.1.D.1. Heights 12 feet or greater require terracing of the entire wall height per DPO requirements.