

# Northcross Design Guidelines Addendum

## Amendments to Design Guidelines

*The following are amendments (inserts and revisions, as the case may be) to the Design Guidelines. These amendments have been adopted by the Northcross master Association Board of Directors/ARC (as the case may be) and shall hereafter be part of the Design Guidelines. To the extent that any of the below provisions are inconsistent with or contradict any existing provisions in the Design Guidelines the amended provision shall control (to the extent of the inconsistency/contradiction). The underlying authority for these modifications are the **Declarations of Covenants, Conditions, and Restrictions for Northcross** dated 3/14/90 and the **Northcross Design Guidelines (Crossland original document)**.*

### **Addendum to Northcross Design Guidelines (Crossland original document)**

Addendum dated March 29<sup>th</sup>, 2012. This update is necessary in part due to major road construction impacting the NMA area of responsibility.

Clarification of terms used in this update to the Northcross Design Guidelines: "Reconstruction" area is the area along Sam Furr Road, Holly Point, and US 21 where the NC DOT widened the roadways as part of NC DOT TIP Project R-2632. "Renovation" is used to describe areas in the NMA Landscape Easement Area (LEA). "Landscape Easement Area" is the area of property 35 feet from the public street.

### **Northcross Design Guidelines, Section I (one). Introduction**

#### **Added: Section I Enforcement**

#### I. Enforcement

NMA reserves the right to enforce the standards of the Northcross Design Guidelines through routine inspections and notification of violations. Articles V, VI, and VII of the *Declarations of Covenants, Conditions, and Restrictions for Northcross* provides the authority to the NMA Board to protect the Association through the maintenance of reasonable landscape and building maintenance/construction standards. The NMA reserves the right to correct violations of these standards and charge the property owner for the cost of those repairs plus any additional administrative costs. Any violation that is not corrected within seven (7) days is subject to a \$50 per day fine. If the violation is not addressed, the NMA may remedy the condition and assess the property owner for the cost of the remedy plus a 20% administrative surcharge after giving the property owner 30 days to correct the violation.

### **Northcross Design Guidelines, Section IV. Design & Construction Standards**

#### **A. Site Development, Section 6. Site Lighting amended to change:**

6.d. Luminaires shall be dark brown shoe box fixtures. Alternative designs may be approved by the Committee if shoe box fixtures are not available and if the Committee determines the design is compatible in style to current light fixtures.

6.e. Light sources shall be metal halide. Alternative light source may be approved by the Committee if light is compatible with current lighting.

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### **Northcross Design Guidelines, Section IV. Design & Construction Standards A. Site Development, Section 7.a. Landscaping**

The Landscape Master Plan diagram (attached to the original Design Guidelines at page 13) is hereby replaced by the "Revised Landscape Master Plan" attached hereto as Exhibit A to this Amendment in order to reflect changes to rights of way and landscape areas that automatically occurred as a result of the widening of Sam Furr Rd., US 21 and Holly Point Drive. Tree and other significant plant species are as indicated on the updated landscape master plan..

### **Northcross Design Guidelines, Section IV. Design & Construction Standards A. Site Development, Section 7.b. Landscape – Design Criteria**

Plant material is amended to show that all tree and shrub plantings will comply with the Revised Landscape Master Plan. Grass areas will be planted with a heat and drought tolerant fescue in all areas within the Master Association Landscape and Easement Areas. In areas where steep slopes have been created by new road construction and grass is difficult to maintain or will not grow, other forms of ground cover must be installed. "Love Grass" and "Blue Rug Junipers" are an option to be considered by the property owner. The NMA Architectural Review Committee may approve slopes that are landscaped other than with fescue, provided that the erosion is prevented and a consistent appearance are maintained. Significant changes to other structures or landscape outside the LEA must also be approved by the NMA Architectural Review Committee.

### **Northcross Design Guidelines, Section IV. Design & Construction Standards A. Site Development, Section 7.d. Irrigation**

Irrigation is amended to add that watering will be done in the Master Association Landscape and Easement Areas between 10 PM and 6 AM. Irrigation systems will be turned off from Nov. 10<sup>th</sup> through March 30<sup>th</sup> or periods of freezing temperatures to reduce the chance for ice on sidewalks in the Master Association Landscape and Easement Areas. Irrigation will be operated as needed during other periods to ensure a minimum of two inches of water per square foot per week in the area within 35 feet of the public street or right of way of the property. Each property in the "reconstruction area" will have functional drip irrigation for each tree in the Master Association Landscape and Easement Areas. The requirement for the drip irrigation for trees will be in place through December 2014.

### **Northcross Design Guidelines, Section IV. Design & Construction Standards A. Site Development, Section 7.e. Maintenance & Installation**

Responsibility for maintenance is amended to add: The property owner will be responsible for all lawn maintenance within the Master Association Landscape and Easement Areas with the exception of the areas identified in this subsection. Grass will be mowed at least once every seven (7) days between April and October and once every 21 days or as needed between November and March to maintain an average grass height of no more than 5 (five) inches. Grass cutting services should only be done on Tuesday, Wednesday, and Thursday unless weather prohibits this.

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The NMA will maintain and replace damaged trees as identified on the Revised Landscape Master Plan within 35 feet of the public street (Landscape Easement Area) so long as the irrigation system has been operated in accordance with the guidelines of Section 7.d. and *no damage has been caused as a result of the property owner's actions. The NMA reserves the right to require restoration of any landscaping within the NMA Landscape Easement Area at the property owners expense if the damage is caused as a result of the property owners actions.*

The NMA also accepts landscaping installation and maintenance responsibility for key locations within the NMA's area of responsibility. These areas are identified by number on the Revised Landscape Master Plan and here in text. They are:

1. The intersection of Hwy 21 and Sam Furr Road. This area extends approximately 125 feet from the intersection from the curb along the roads and to property owners' areas of landscaping and maintenance responsibility. Each corner is different and the depth of the NMA responsibility can be seen on the Revised Landscape Master Plan drawings. (area 1).
2. The intersection of Hwy 21 and Northcross Center Court. This area extends 100 feet from the intersection along the roads and to property owners' areas of landscaping and maintenance responsibility. Each corner is different and the depth of the NMA responsibility can be seen on the Revised Landscape Master Plan. (area 2)
3. The southeast and southwest corners of the intersection of Northcross Drive and Sam Furr Road. This area extends 100 feet from the intersection along the roads and to property owners' areas of landscaping and maintenance responsibility. Each corner is different and the depth of the NMA responsibility can be seen on the Revised Landscape Master Plan. (area 3)
4. The area along the east side of Northcross Drive south of the restaurants (Carrabas/Outback) to the boundary of the NMA area of responsibility, as shown on the Revised Landscape Master Plan. (area 4)
5. The NMA will maintain all white fencing paralleling I-77 within the NMA area of responsibility and will mow the grass in the improved areas along the fence. (area 5)
6. The NMA will maintain the landscaping on north side of the holding pond located near the southbound entrance to I-77 from Sam Furr Road. The NMA is also responsible for maintaining the holding pond dam. The NMA will maintain the area to the south of the pond to the top of the slope. (area 6)
7. The NMA will coordinate maintenance with the NC DOT and the Town of Huntersville for landscaping and mowing along the exit and entry ramps and center area of Exit 25 on I-77. The goal of this effort will be to promote a positive visual experience for those using this highway interchange. (area 7)

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IV.B.4 MATERIALS" is amended as follows:

"Walls: Building structures should be aesthetically pleasing and should blend in with the structures in the immediate area. The proposed building structure does not need to be exactly the same colors or materials as the surrounding buildings but should be complimentary. In general, lighter colors including white, off-white, crème, tan, and grey should be the main colors of the building. Others colors may be approved if the committee finds such colors to be aesthetically compatible.

"Roofing: Black, grey, or brown in color and should be complimentary to the building walls and other structures in the immediate area. Others colors may be approved if the committee finds such colors to be aesthetically compatible.

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