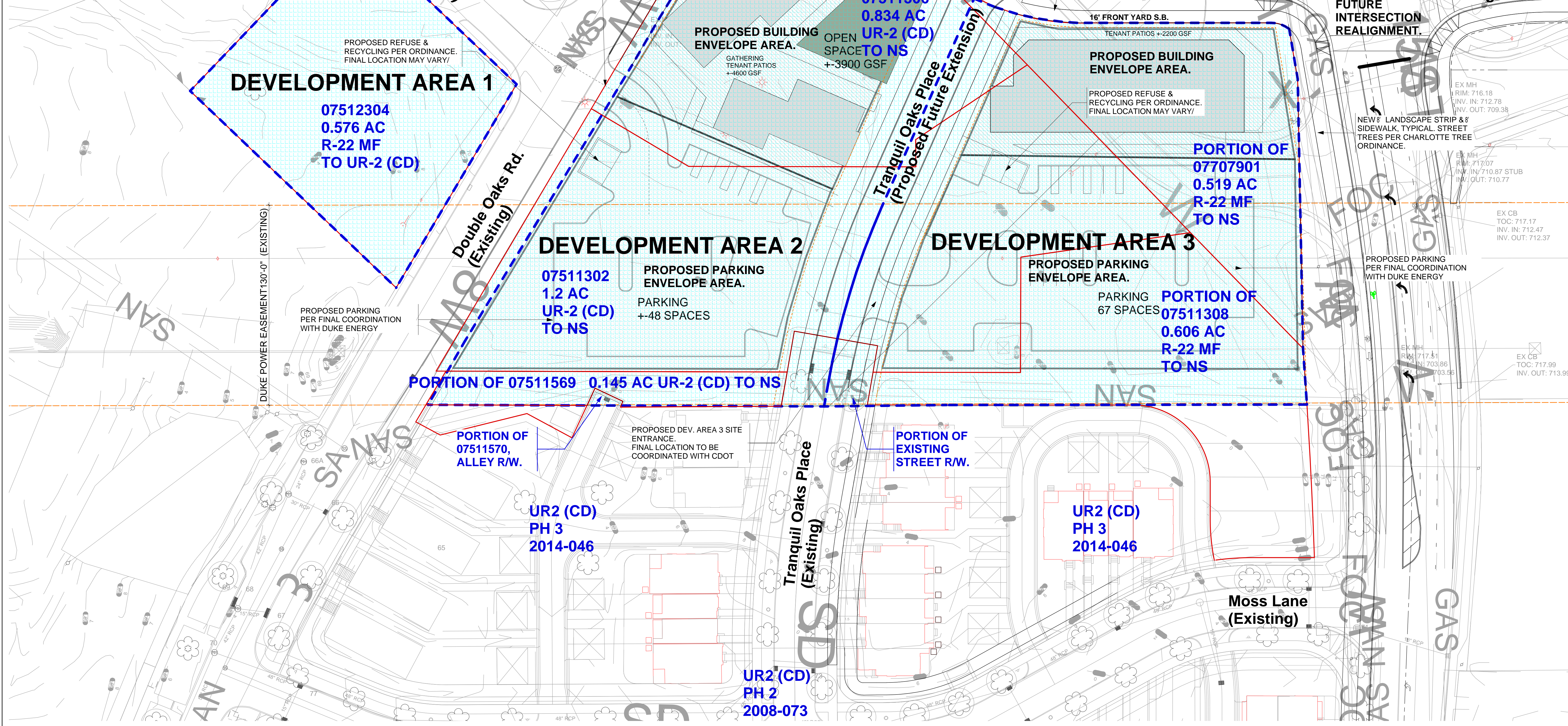
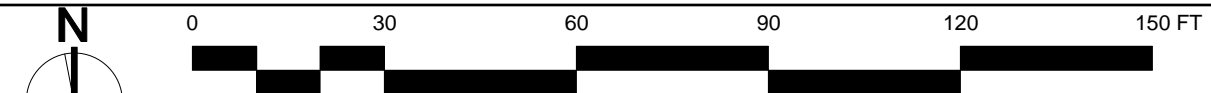


VICINITY MAP
Not to Scale



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Brightwalk Retail Village
 Double Oaks Road & Newland Avenue
 Charlotte, NC 28206
 11.28.2016 Brightwalk Site Plan
 A 11/28/16 Rezoning Package Submittal
 16035.001

Rezoning Site Plan
 2017-000
RSP001

Charlotte Mecklenburg Housing Partnership

Development Standards

11/28/16

Rezoning Petition No. 2017-000

Site Development Data:

--**Acreage:** ± 3.804 acres

--**Tax Parcel #:** 075-113-06, 075-113-02, 075-123-04, Portions of 075-113-08, 075-115-69 and 077-079-01

--**Existing Zoning:** UR-2(CD) and R-22MF

--**Proposed Zoning:** NS and UR-2(CD)

--**Existing Uses:** Vacant

--**Proposed Uses:** Residential dwelling units as permitted by right and under prescribed conditions together with accessory uses, as allowed in the UR-2 zoning district in Development Area 1, and Retail, personal service, EDEE (restaurants), office, and other uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the NS zoning district in Development Areas 2 and 3; all as more specifically described and restricted below in Section 2.

--**Prohibited Uses:** The following use is not permitted on the Site: automotive service stations with or without a convenience store and uses with accessory drive-through windows.

--**Maximum Gross Square feet of Development:** Up to 20,000 square feet of gross floor area of non-residential uses as allowed in the NS zoning district on Development Areas 2 and 3, and up to six (6) residential dwelling units on Development Area 1.

--**Maximum Building Height:** As allowed by the Ordinance.

--**Parking:** Parking will be provided as required by the Ordinance.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Charlotte Mecklenburg Housing Partnership ("Petitioner") to accommodate the development of a small neighborhood retail center with up to 20,000 square feet of gross floor area of uses allowed in the NS zoning district as well as additional residential dwelling units on approximately 3.804 acre site located along Double Oaks Road and re-aligned Newland Avenue (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 establishes more stringent standards the regulations established under the Ordinance for the NS and UR-2 zoning classifications shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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 are graphic representations of the Development/Site elements proposed. Changes to 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:

- i. 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.

- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed four (4) on Development Areas 2 & 3, and up to six (6) on Development Area 1. 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 located on the Site.

2. Permitted Uses & Development Area Limitation:

- a. For ease of reference, the Rezoning Plan sets forth three (3) Development Areas as generally depicted on the Technical Data Sheet as Development Areas 1, 2, and 3 (each a "Development Area" and collectively the "Development Areas").
- b. Up to 20,000 square feet of gross floor area of uses allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district may be developed within Development Areas 2 and 3; and up to six (6) residential dwelling units as allowed in the UR-2 zoning district, together with accessory uses as allowed in the NS zoning district may be development within Development Area 1. *For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed) and outdoor seating or service areas.*
- c. The following use is not allowed on the Site: automotive service stations with or without a convenience store and uses with accessory drive-through windows.
- d. The Petitioner may develop Development Area 2 prior to the extension of Tranquil Oaks Place and the realignment of Newland Avenue.
- e. The setback along each of the abutting public streets (Double Oaks, Newland Avenue, Statesville Avenue, Samuel Street, and Tranquil Oaks Place) will be 16 feet as measured from the future back of curb, as generally depicted on the Rezoning Plan.

3. Access and Transportation:

- a. Vehicular access to the Site will be from Double Oaks Road, Samuel Street, and Tranquil Place in the manner generally depicted on the Rezoning Plan. Vehicular access to Statesville Avenue will not be allowed.
- b. The Petitioner will re-align Newland Avenue and construct the extension of Tranquil Oaks Place as generally depicted on the Rezoning Plan as part of the development of Development Area 3. These roadway improvements will be completed or bonded prior to the issuance of a certificate of occupancy for the first building within Development Area 3.
- c. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
- d. 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.

4. Architectural Standards:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
- b. The proposed buildings located within Development Area 2 and 3 will front on Newland Avenue (existing and realigned), existing Double Oaks Road, or on an open space area. Parking other than on-street parking, will not be allowed between the proposed buildings on Development Area 2 and 3 and Newland Avenue (existing and realigned), Double Oaks Road, Tranquil Oaks Place and Statesville Avenue.
- c. The building walls within Development Area 2 and 3 along Double Oaks and Newland Avenue (existing and realigned), Tranquil Oaks Place, and Statesville Avenue will be designed to have store fronts with clear glass facing each street. The building facades fronting on these public streets shall include a minimum of 60% transparent glass between 2' and 10' on the first floor.
- d. The buildings within Development Area 2 and 3 facing Double Oaks Road, and Newland Avenue (existing and realigned), will have a building entrances that orient and connects to the sidewalks along Double Oaks Road and Newland Avenue (existing and realigned) (if more than one commercial establishment is constructed each establishment shall have an entrance to the abutting public street and each entrance will be an operable pedestrian door). The entrances to the sidewalks along the abutting streets will be open and operable during the business hours of the associated use.
- e. The service side of the buildings may not be oriented to Double Oaks Road, Newland Avenue (existing and realigned), and Tranquil Oaks Place.
- f. The Petitioner will provide an improved open space area within Development Area 2 or 3 at the intersection of Tranquil Oaks Place and Newland Avenue. This area will be improved with sitting areas, landscaping and other amenities to create an open space amenity area along Newland Avenue. The open space area will be located outside of the setback and the future right-of-way for each of the abutting public streets.

5. Streetscape, Buffers, Yards and Landscaping:

- a. Along the Site's frontage on each of the abutting public streets (Double Oaks Road, Newland Avenue (existing and realigned), Tranquil Oaks Plans, Samuel Street, and Statesville Avenue) the Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan.
- b. The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along each of the abutting public streets in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- c. Screening requirements of the Ordinance will be met, including but not limited to screening for roof top equipment with roof parapet walls.
- d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- e. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

6. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (storm water control ordinance).
- b. The Site will comply with the Tree Ordinance.

7. Signage:

- a. Reserved.

8. Lighting:

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site will be limited to 21 feet in height.

9. 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 portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

10. 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 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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Prepared for: **Mark** Date Description

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**Brightwalk Retail Village Rezoning Technical Notes
2017-000**

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