

REZONING PETITION

FOR PUBLIC HEARING

2017 -

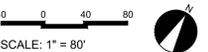
REZONING DOCUMENT



DAVIS (MALLARD) APARTMENTS
CHARLOTTE, NORTH CAROLINA

DAVIS DEVELOPMENT
403 CORPORATE CENTER DRIVE
SUITE 201
STOCKBRIDGE, GA 30281

TECHNICAL
DATA PLAN



PROJECT #: 721-001
DRAWN BY: NK
CHECKED BY: SK

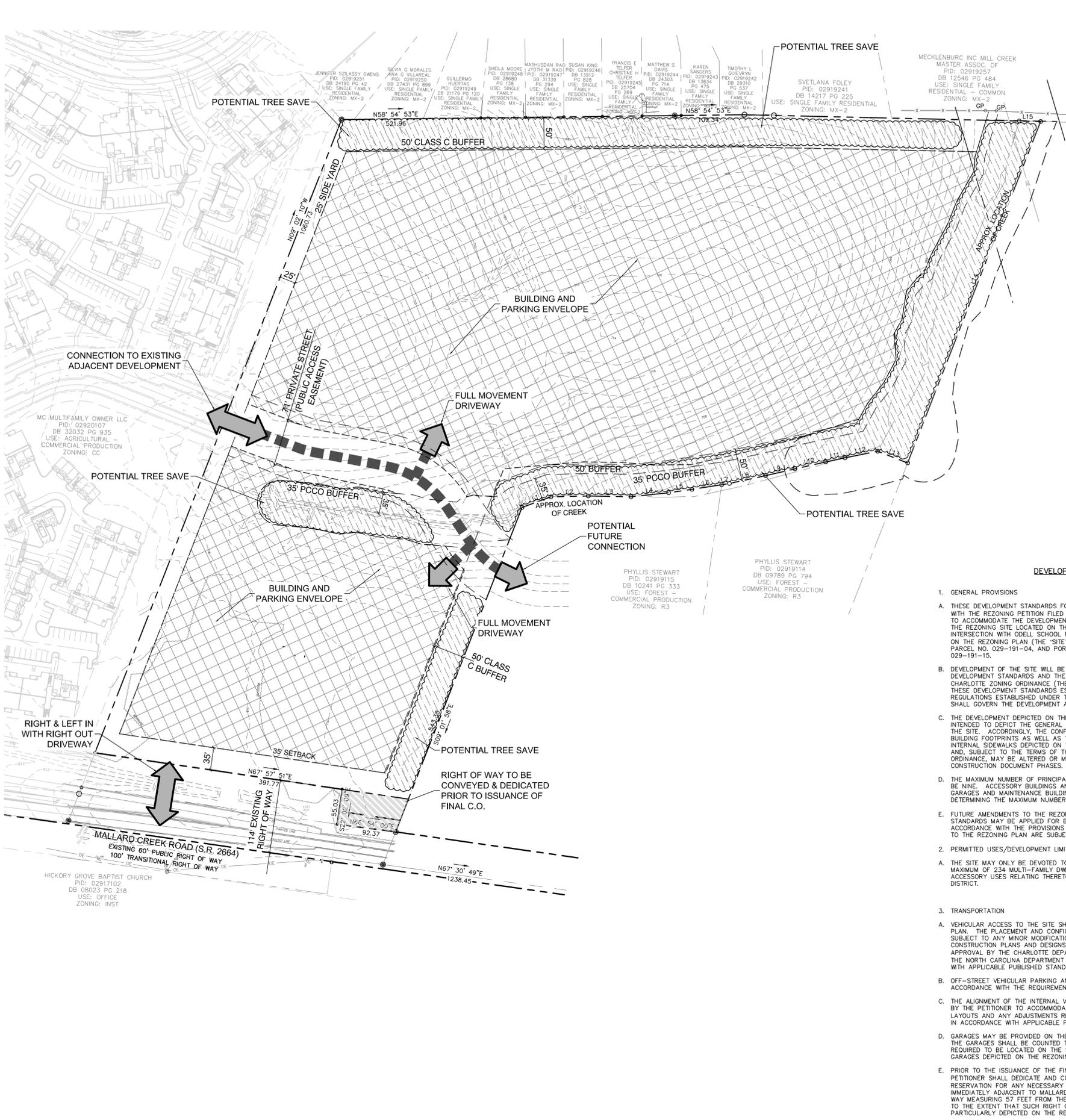
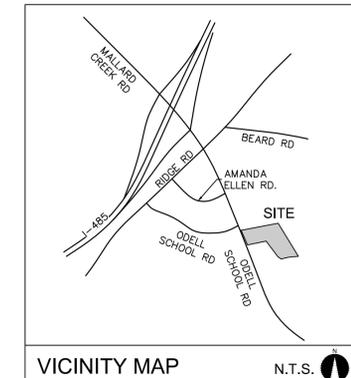
NOVEMBER 27, 2017

REVISIONS:

LINE	BEARING	LENGTH
RW1	S09°01'58"E	54.89
RW2	S67°30'00"W	497.38
RW3	N09°02'10"W	55.78
RW4	S67°57'38"W	307.95

CURVE	RADIUS	LENGTH	BEARING	CHORD
RW-C1	3310.82	96.87	S67°07'20"W	96.87

Line #	Length	Direction
L1	48.11	N39° 39' 28"E
L2	58.60	N58° 13' 02"E
L3	67.07	N60° 40' 36"E
L4	59.09	N53° 32' 37"E
L5	36.89	N51° 20' 34"E
L6	47.15	N50° 45' 33"E
L7	12.39	N50° 45' 33"E
L8	57.85	N47° 21' 25"E
L9	47.32	N46° 44' 56"E
L10	49.22	N46° 53' 01"E
L11	31.05	N47° 35' 55"E
L12	52.23	N48° 17' 26"E
L13	50.33	N80° 57' 50"E
L14	572.07	N09° 02' 10"W
L15	33.59	S60° 46' 10"W



DEVELOPMENT STANDARDS

- GENERAL PROVISIONS
 - THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY DAVIS DEVELOPMENT, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON THE REZONING SITE LOCATED ON THE NORTH SIDE OF MALLARD CREEK ROAD NEAR ITS INTERSECTION WITH ODELL SCHOOL ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF ALL OF TAX PARCEL NO. 029-191-04, AND PORTIONS OF TAX PARCEL NOS. 029-191-14 AND 029-191-15.
 - 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"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-12 MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
 - THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES, PARKING AREAS AND INTERNAL SIDEWALKS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
 - THE MAXIMUM NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL BE NINE. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE, SUCH AS GARAGES AND MAINTENANCE BUILDINGS, SHALL NOT BE CONSIDERED WHEN DETERMINING THE MAXIMUM NUMBER OF PRINCIPAL BUILDINGS LOCATED ON THE SITE.
 - 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. ADJUSTMENTS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- PERMITTED USES/DEVELOPMENT LIMITATIONS
 - THE SITE MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 234 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-12 MF ZONING DISTRICT.
- TRANSPORTATION
 - VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - OFF-STREET VEHICULAR PARKING AND BICYCLE PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
 - THE ALIGNMENT OF THE INTERNAL 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.
 - GARAGES MAY BE PROVIDED ON THE SITE, AND THE PARKING SPACES LOCATED WITHIN THE GARAGES SHALL BE COUNTED TOWARDS THE TOTAL NUMBER OF PARKING SPACES REQUIRED TO BE LOCATED ON THE SITE. THE LOCATION AND CONFIGURATION OF THE GARAGES DEPICTED ON THE REZONING PLAN MAY BE MODIFIED.
 - PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE IMMEDIATELY ADJACENT TO MALLARD CREEK ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 57 FEET FROM THE EXISTING CENTERLINE OF MALLARD CREEK ROAD, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST, AND AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.

DEVELOPMENT DATA TABLE

- SITE ACREAGE: APPROXIMATELY 19.52 ACRES
- TAX PARCEL NOS. ALL OF 029-191-04 AND PORTIONS OF 029-191-14 & 029-191-15
- EXISTING ZONING: R-3
- EXISTING USES: VACANT AND RESIDENTIAL
- PROPOSED ZONING: R-12 MF (CD)
- PROPOSED USE: MULTI-FAMILY RESIDENTIAL
- MAXIMUM NO. OF DWELLING UNITS: 234 DWELLING UNITS

F. PETITIONER SHALL CONTINUE THE PRIVATE STREET LOCATED ON THE ADJACENT PARCEL OF LAND (ASPIRE STREET) ACROSS THE SITE AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, AND SHALL PROVIDE A PUBLIC ACCESS EASEMENT ACROSS THE SAME.

- ARCHITECTURAL STANDARDS
 - THE MAXIMUM HEIGHT IN STORIES OF THE MULTI-FAMILY RESIDENTIAL BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE FOUR STORIES.
 - THE MAXIMUM HEIGHT IN FEET OF THE MULTI-FAMILY RESIDENTIAL BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE AS MEASURED UNDER THE ORDINANCE.
- STREETSCAPE/LANDSCAPING/BUFFER
 - A 50 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, AND SUCH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. EXCEPT AS PROVIDED BELOW IN PARAGRAPH B, THE WIDTH OF THE CLASS C BUFFER MAY NOT BE REDUCED.
 - IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY.
- INTERNAL SIDEWALKS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- ENVIRONMENTAL FEATURES
 - DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
 - THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. 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 WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- LIGHTING
 - ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
 - THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 21 FEET.
 - ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
 - 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.
 - 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.
 - 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.