

REZONING PETITION
FOR PUBLIC HEARING
2019-053

REZONING PETITION

BRYANT PARK TOWNHOMES
CHARLOTTE, NORTH CAROLINA

HOPPER COMMUNITIES
1814 EUCLID AVENUE
CHARLOTTE, NC 28203

SCHEMATIC
SITE PLAN

SCALE: 1" = 30'

PROJECT #: 598-015
DRAWN BY: JO
CHECKED BY: NB

MARCH 21, 2019

REVISIONS:
1. 06/10/19 - PER REVIEW COMMENTS

RZ1.0



SITE DATA

TAX MAP NO: 06702149
EXISTING ZONING: O-1 AND I-2
PROPOSED ZONING: MUDD-O
SITE AREA: ±2.65 ACRES (±115,609 SF)
EXISTING USE: VACANT
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOMES
PROPOSED UNITS: ±56 UNITS
DENSITY: ±21.37 DU/A
MAX BUILDING HEIGHT: SEE DEVELOPMENT STANDARDS
PARKING REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS
*SITE LOCATED IN WEST CORRIDOR

A. GENERAL PROVISIONS

- 1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 2.653 ACRE SITE LOCATED AT THE INTERSECTION OF BRYANT PARK DRIVE AND ISOM STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 067-021-49.
- 2. 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"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- 3. 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 PUBLIC STREET, PRIVATE ALLEYS OR DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- 4. 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 SECTION 6.207 OF THE ORDINANCE.

B. OPTIONAL PROVISIONS

THE OPTIONAL PROVISIONS SET OUT BELOW SHALL APPLY TO THE SITE.

- 1. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN THE BUILDINGS CONSTRUCTED ON THE SITE AND THE REQUIRED SETBACKS FROM THE ADJACENT PUBLIC STREETS AS DEPICTED ON THE REZONING PLAN.
- 2. THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE SHALL NOT APPLY TO THE SINGLE FAMILY ATTACHED DWELLING UNITS CONSTRUCTED ON THE SITE.

C. PERMITTED USES

- 1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 56 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING DISTRICT.

D. TRANSPORTATION

- 1. 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.
- 2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY AN INTERNAL PUBLIC STREET AND INTERNAL PRIVATE ALLEYS OR DRIVES. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREET AND THE PRIVATE ALLEYS OR DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- 3. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.
- 4. PETITIONER SHALL INSTALL NEW CURB AND GUTTER ALONG THE SITE'S PUBLIC AND PRIVATE STREET FRONTAGES WHERE REQUIRED AND AS GENERALLY DEPICTED ON THE REZONING PLAN.
- 5. THE INTERSECTION OF ISOM STREET AND BRYANT PARK DRIVE SHALL BE CONSTRUCTED AS A TRADITIONAL FOUR LEGGED INTERSECTION. THE SCOPE OF ANY MODIFICATIONS OR IMPROVEMENTS TO ISOM STREET AND TO BRYANT PARK DRIVE TO ACCOMMODATE THE CONSTRUCTION OF THIS FOUR LEGGED INTERSECTION SHALL BE LIMITED TO THE SITE'S FRONTAGES ON ISOM STREET AND BRYANT PARK DRIVE.
- 6. SUBJECT TO THE APPROVAL AND CONSENT OF THE RELEVANT ADJACENT PROPERTY OWNER, PETITIONER SHALL INSTALL A PEDESTRIAN CONNECTION FROM THE SITE TO ELIZABETH MILL PLACE AS GENERALLY DEPICTED ON THE REZONING PLAN. IN THE EVENT THAT THE RELEVANT ADJACENT PROPERTY OWNER DOES NOT APPROVE OF AND CONSENT TO THE INSTALLATION OF THIS PEDESTRIAN CONNECTION, THEN PETITIONER SHALL HAVE NO OBLIGATION TO INSTALL THIS PEDESTRIAN CONNECTION. ADDITIONALLY, PETITIONER WILL NOT BE OBLIGATED TO INSTALL THIS PEDESTRIAN CONNECTION IF IT IS NOT FEASIBLE TO DO SO DUE TO EXISTING OR PROPOSED GRADES. THE PRECISE LOCATION OF THIS PEDESTRIAN CONNECTION, IF CONSTRUCTED, SHALL BE DETERMINED DURING THE PERMITTING PROCESS.
- 7. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON 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 LOCATED IMMEDIATELY ADJACENT TO ISOM STREET, BRYANT PARK DRIVE AND MORTON STREET THAT ARE NECESSARY TO EXTEND THE EXISTING RIGHT OF WAY FOR ISOM STREET, BRYANT PARK DRIVE AND MORTON STREET TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALKS TO BE INSTALLED ALONG THE SITE'S FRONTAGES ON THESE PUBLIC STREETS WHERE FEASIBLE. IF IT IS NOT FEASIBLE TO EXTEND THE RIGHT OF WAY TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALKS TO BE INSTALLED ALONG THE SITE'S FRONTAGES ON ISOM STREET, BRYANT PARK DRIVE AND MORTON STREET, THEN THE SIDEWALKS MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- 8. SUBJECT TO PARAGRAPH 10 BELOW, ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
- 9. NOTWITHSTANDING THE TERMS OF PARAGRAPH 9 ABOVE, THE EXTENSION OF MORTON STREET AND THE ASSOCIATED 13 FOOT WIDE PLANTING STRIP AND 8 FOOT WIDE SIDEWALK DEPICTED ON THE REZONING PLAN AND THE RE-ALIGNMENT OF THE EXISTING DRIVEWAY ON THE SOUTHERN SIDE OF MORTON STREET IN CONNECTION THEREWITH SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF THE 28TH CERTIFICATE OF OCCUPANCY FOR A SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE.

E. ARCHITECTURAL STANDARDS

- 1. THE MAXIMUM HEIGHT IN FEET OF ANY BUILDING CONSTRUCTED ON THE SITE SHALL BE 55 FEET.
- 2. THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS SIDING.
- 3. VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.
- 4. THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN.
- 5. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- 6. THE FRONT ELEVATION OF EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- 7. ALL CORNER OR END SINGLE FAMILY ATTACHED DWELLING UNITS THAT FACE A PUBLIC STREET SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- 8. EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE.
- 9. EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE WILL BE ALLEY LOADED.
- 10. WALKWAYS SHOULD BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC/PRIVATE STREETS.

F. STREETScape AND LANDSCAPING

- 1. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S PUBLIC STREET FRONTAGES AS GENERALLY DEPICTED ON THE REZONING PLAN.
- 2. THE SIDEWALKS DESCRIBED ABOVE IN PARAGRAPH 1 MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

G. ENVIRONMENTAL

- 1. IN THE EVENT THAT A SOLID WASTE ENCLOSURE IS PROVIDED ON THE SITE, THE ACTUAL LOCATION OF THE SOLID WASTE ENCLOSURE MAY BE MODIFIED DURING THE CONSTRUCTION PERMITTING PROCESS AND IT MAY VARY FROM WHAT IS DEPICTED ON THE REZONING PLAN.

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

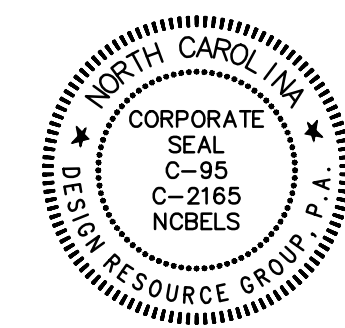
- 1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- 2. 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.
- 3. 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.

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LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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