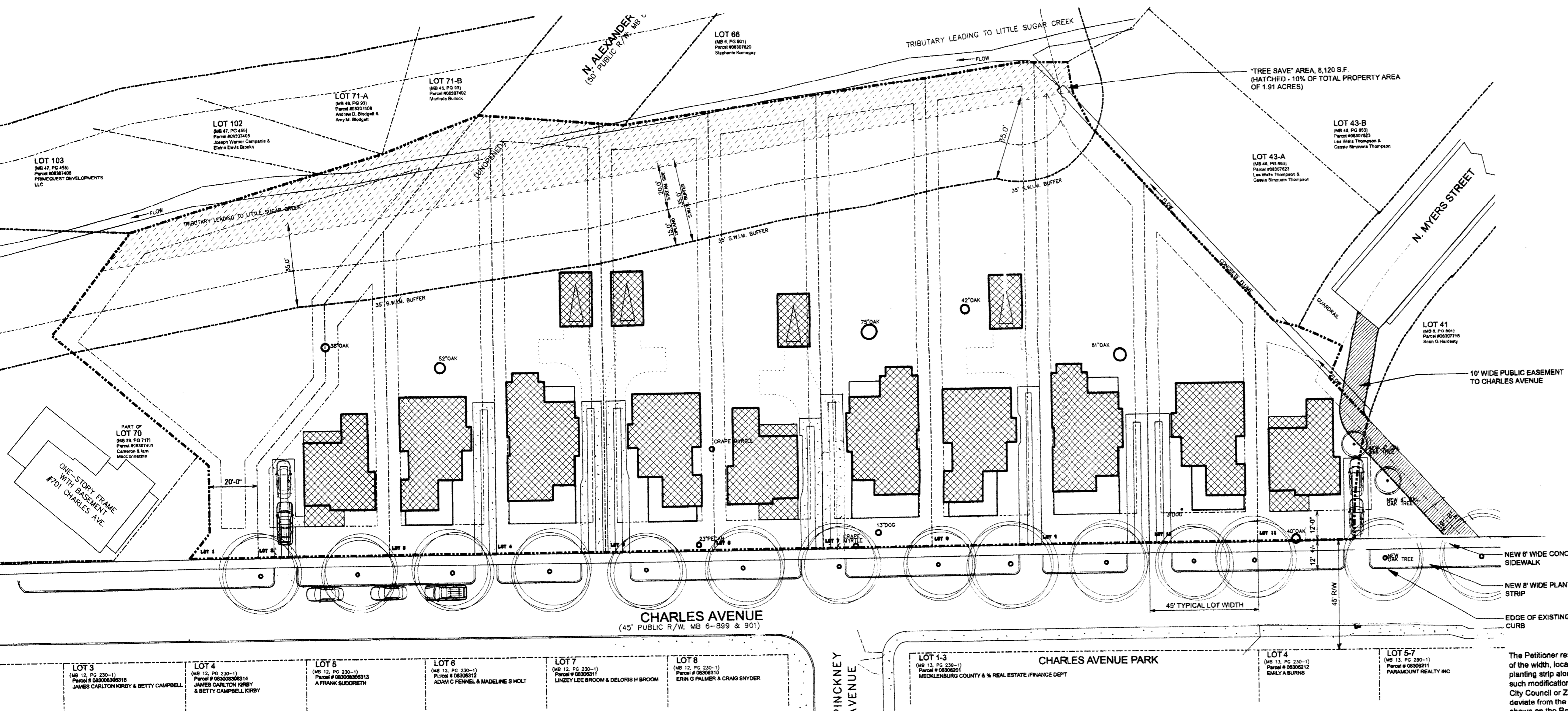


CHARLES AVENUE VILLAGE

CHARLOTTE, NORTH CAROLINA

APPROVED BY
CITY COUNCIL
MAY 13 2008



LIBERATE FINANCIAL, CHARLES AVENUE PROJECT
UR-1 (CB)
DEVELOPMENT NOTES

A. GENERAL PROVISIONS

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Liberate Financial, LLC to accommodate the development of an approximately 1.88-acre parcel of land located south of Charles Avenue between Yallah Avenue and N. McDowell Street, which parcel of land is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site").
- The Site includes unopened portions of N. Alexander Street and N. Myers Street. Development within the unopened portions of these streets as shown on the Rezoning Plan is contingent on the abandonment of these unopened right-of-ways.
- The development of the Site will be governed by the Rezoning Plan, these Development Standards and the standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the UR-1 zoning district unless more stringent standards are established by these Development Standards or the Rezoning Plan. The site plan shown here is subject to minor modifications during the construction drawing and final design phase, but it shall generally follow the layout shown here.
- Any exhibits accompanying the Rezoning Plan are conceptual images of portions of the Site. They are not to be considered as development plans but rather as preliminary representations of the types and quality of development proposed for the Site.
- The Rezoning Plan identifies building envelopes. Buildings shall be located within the building envelopes. However, the exact location and size and number of buildings within the specific envelope is subject to change.
- The Petitioner shall provide a pedestrian assessment to Charles Avenue as shown on the Rezoning Plan.

B. PERMITTED USES AND MAXIMUM DEVELOPMENT

- The Site may be devoted only to the following uses:
A maximum of 11 single family detached dwelling units together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the UR-1 zoning district.

C. MINIMUM LOT AREA AND LOT WIDTH

- The minimum lot area shall be 3,000 square feet.
- The minimum lot width shall be 20 feet.
- Lots 2-11 shall be at least 45 feet wide at the setback.

D. SETBACK SIDE YARD AND REAR YARD REQUIREMENTS

- The setback, side yard and rear yard requirements are set out on the Rezoning Plan.

E. ACCESS POINTS

- The Site shall have direct access to Charles Avenue.
- The unopened portions of N. Myers Street and N. Alexander Street within the Site shall be abandoned. Upon abandonment of these areas the Petitioner shall dedicate a pedestrian right-of-way as depicted on the Rezoning Plan.

F. ARCHITECTURAL COMMENTS

- No building on the Site will exceed 40 feet in height.
- Attached hereto are conceptual architectural renderings of elevations of the dwelling units proposed to be constructed on the Site that are intended to depict the general conceptual architectural style, character and elements of these dwelling units. Accordingly, the elevations of any dwelling unit constructed on the Site shall be substantially similar in appearance to the elevations attached hereto. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
- The exterior building materials for the dwelling units to be constructed on the Site shall be combination of brick, stone, stucco and horizontal siding. Vinyl siding shall not be a permitted exterior building material.
- Attached garages shall not be permitted. All detached garages shall be located behind a principal structure.

G. OFF-STREET PARKING

- A minimum of 2 off-street parking spaces per dwelling unit shall be provided on the Site.

H. TREES

- The Petitioner shall comply with the requirements of the Tree Ordinance.
- A minimum of 10% of the Site will be devoted to a combination of tree save areas and/or areas to be newly landscaped with trees.

I. STORM WATER MANAGEMENT

- Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinance and the Charlotte-Mecklenburg Storm Water Design Manual. Surface level storm water detention, if provided, shall be located in the setback required by the ordinance.
- The detention shall tie-in to the existing abutting storm water system(s). The Petitioner shall have the receiving drainage system abutting the Site analyzed to ensure that it will not be taken out of service due to this development. If it is found that the development will cause the receiving storm drainage system to be taken out of service, the Petitioner shall provide adequate detention to prevent this from occurring.
- Storm water peak control will be as follows:
 - For projects with defined watersheds greater than 24% BIA, control the peak to control the entire volume for the 1-year, 24-hour storm. Runoff volume detention time shall be a minimum of 24 hours, but not more than 120 hours.
 - For residential projects with greater than 24% BIA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storm and perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. "Residential" shall be defined as "A development consisting of dwelling units with open yards on at least two sides where land is sold with each dwelling unit."
 - For commercial projects with greater than 24% BIA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency. If a downstream analysis is not performed, control the peak for the 10-year and 25-year storm. For commercial projects with less than or equal to 24% BIA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-year, 6-hour storm.
- The Petitioner will construct water quality best management practices (BMPs) for the entire site development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs will be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources Best Management Practices Manual, April 1999, that have been designed to achieve 85% Total Suspended Solids (TSS) removal. Use of Low Impact Development techniques is optional.

J. ALTERATIONS TO PLAN

- Future amendments to the Rezoning Plan and 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.

K. BINDING EFFECT

- If the Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Rezoning Plan will, unless amended by the mayor or the City Council, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners or owners of the Site from time to time who may be involved in any future development thereof.

The Petitioner reserves the right to request modification of the width, location and layout of the sidewalk and planting strip along Charles Avenue. In the event that such modification is approved by the Planning Director, City Council or Zoning Administrator the petitioner may deviate from the sidewalk and planting strip standards shown on the Rezoning Plan.

APPROVED BY
CITY COUNCIL
MAY 13 2008

RECEIVED
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BY:

REZONING PLAN FOR PUBLIC HEARING - PETITION #2008 - 050

25 April 2008

LIBERATE FINANCIAL, LLC

PETER TART - ARCHITECT

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CURRENT ZONING: R-5

REQUESTED ZONING: UR-1, (Conditional)

- Land Area: 1.88 acres
- Proposed Dwelling Units: 11
- Minimum Lot Area: 3,000 S.F.
- Minimum Lot Area Allowed: 3,900 S.F.
- Minimum Lot Area Provided: 3,900 S.F.
- Minimum Lot Width Allowed: 40 feet
- Minimum Lot Area Provided: 20' for Lot #1, 45 feet for lots #2 thru #11
- Minimum Setback: 14' from back of curb
- Minimum Side Yard: 5 feet
- Minimum Rear Yard: 10 feet
- Minimum Open Space: n.a.
- Maximum Height: 40 feet

Lot Sizes: 3,900 S.F. to 8,850 S.F.

