

REZONING PETITION
 FOR PUBLIC HEARING
 2024-090
 REZONING PETITION

CHARTER - WEST MALLARD CREEK CHURCH RD SITE
 CHARLOTTE, NORTH CAROLINA
 CHARTER PROPERTIES
 1520 SOUTH BOULEVARD, SUITE 215
 CHARLOTTE, NC 28203

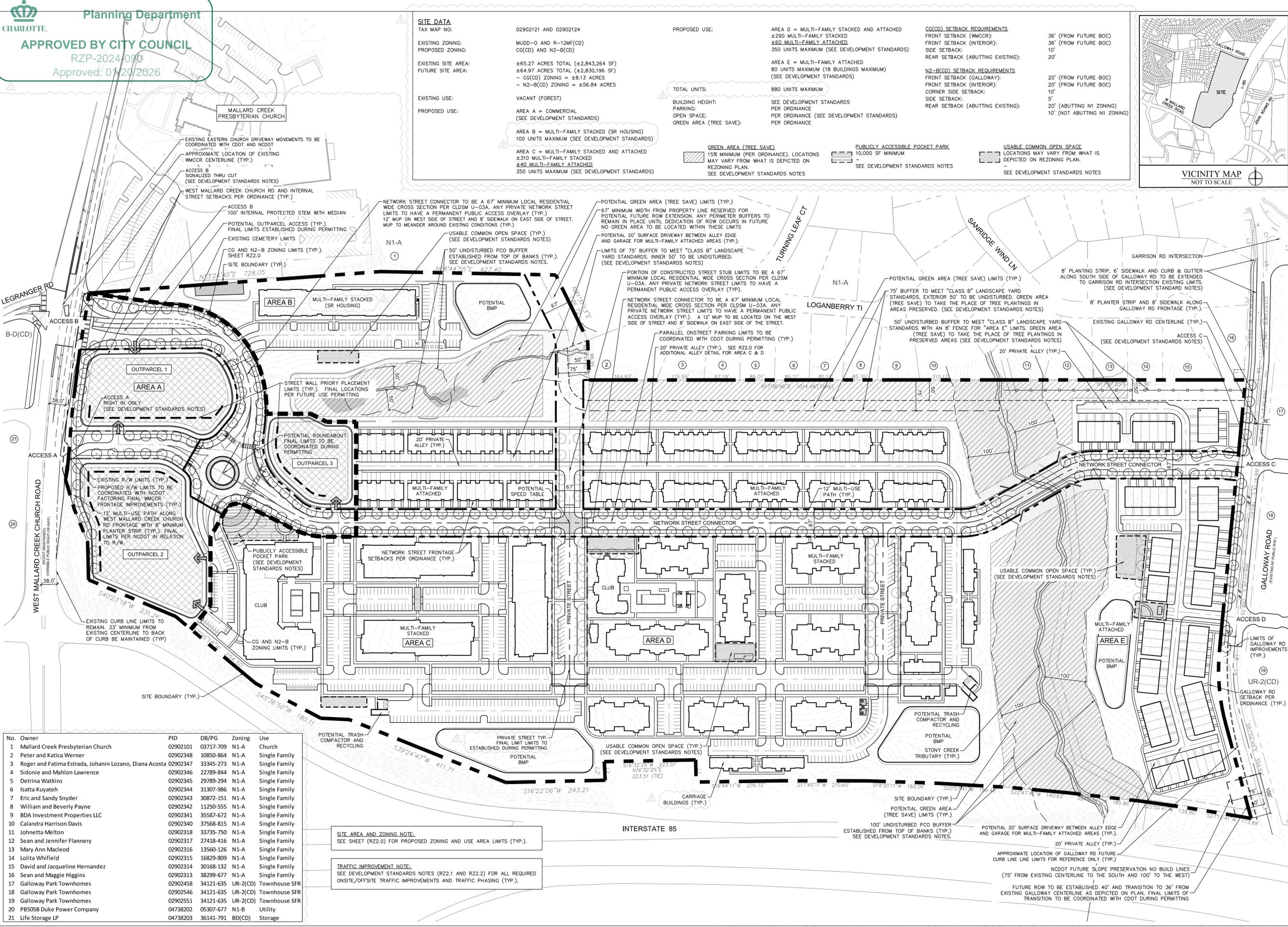
SCHEMATIC SITE PLAN

SCALE: 1" = 100'

PROJECT #: 638-100
 DRAWN BY: NB
 CHECKED BY: NB

JULY 15, 2024

- REVISIONS:
- 1. 10.13.25 - PER SITE UPDATES
 - 2. 12.18.25 - PER SITE UPDATES
 - 3. 01.09.26 - PER SITE UPDATES
 - 4. 01.15.26 - PER SITE UPDATES
 - 5. 01.19.26 - PER SITE UPDATES

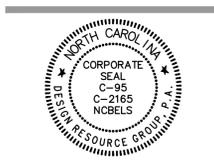
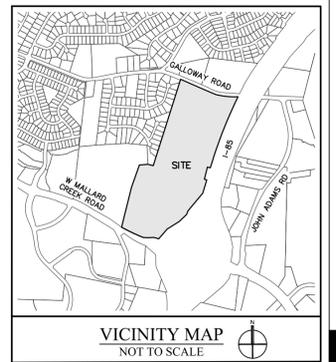
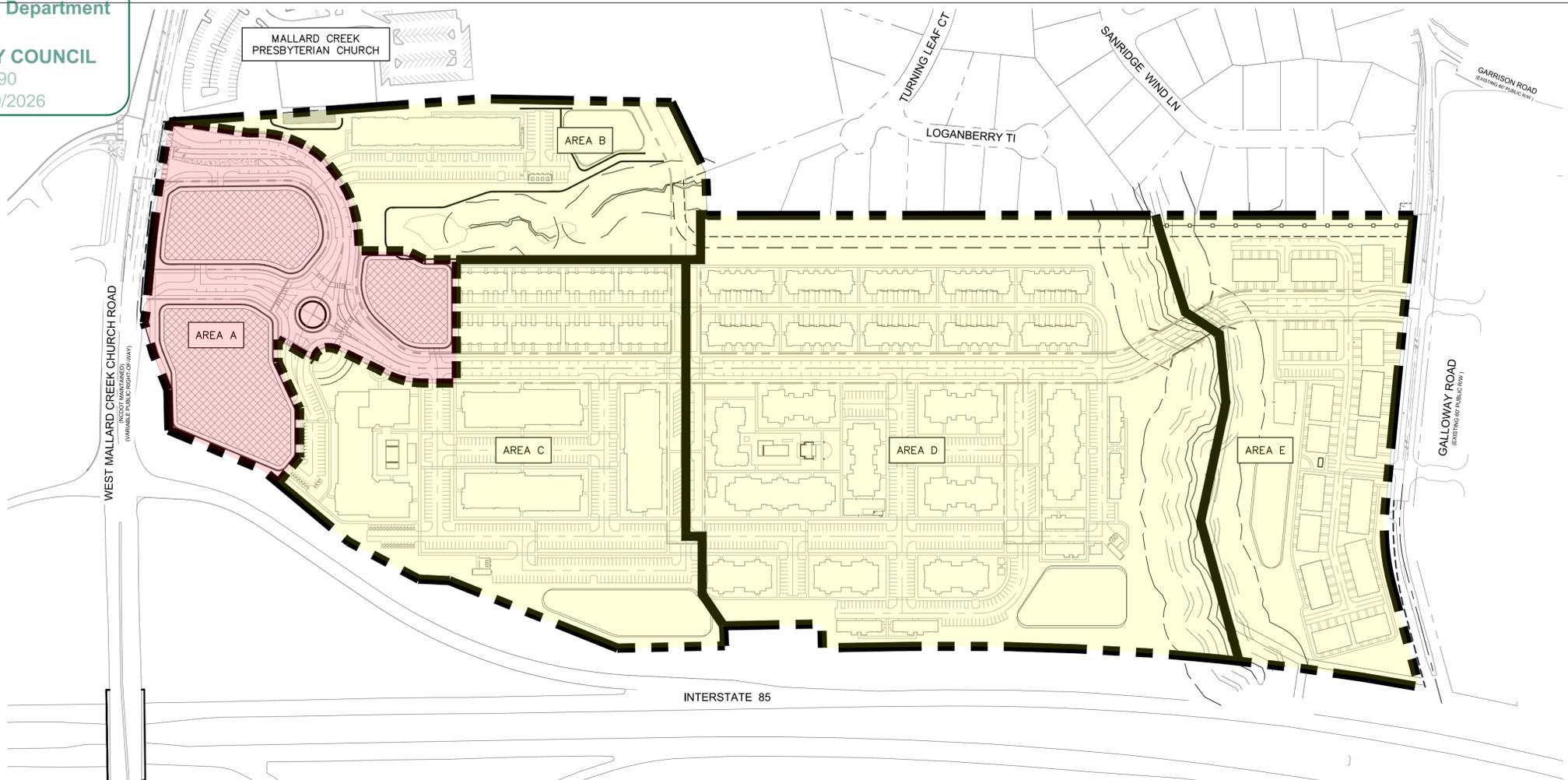


No.	Owner	PID	DB/PG	Zoning	Use
1	Mallard Creek Presbyterian Church	02902101	03717-709	N1-A	Church
2	Peter and Katia Werner	02902348	10850-864	N1-A	Single Family
3	Roger and Fatima Estrada, Johanna Lozano, Diana Acosta	02902347	33345-273	N1-A	Single Family
4	Sidonie and Mahlon Lawrence	02902346	22789-844	N1-A	Single Family
5	Detrina Watkins	02902345	29789-294	N1-A	Single Family
6	Isatta Kuyateh	02902344	31307-986	N1-A	Single Family
7	Eric and Sandy Snyder	02902343	30872-151	N1-A	Single Family
8	William and Beverly Payne	02902342	11250-555	N1-A	Single Family
9	BDA Investment Properties LLC	02902341	35587-672	N1-A	Single Family
10	Calandra Harrison Davis	02902340	37568-815	N1-A	Single Family
11	Johnetta Melton	02902318	33735-750	N1-A	Single Family
12	Sean and Jennifer Flannery	02902317	27418-416	N1-A	Single Family
13	Mary Ann Macleod	02902316	13560-126	N1-A	Single Family
14	Lolita Whifield	02902315	16829-809	N1-A	Single Family
15	David and Jacqueline Hernandez	02902314	30168-132	N1-A	Single Family
16	Sean and Maggie Higgins	02902313	38299-677	N1-A	Single Family
17	Galloway Park Townhomes	02902458	34121-635	UR-2(CD)	Townhouse SFR
18	Galloway Park Townhomes	02902546	34121-635	UR-2(CD)	Townhouse SFR
19	Galloway Park Townhomes	02902551	34121-635	UR-2(CD)	Townhouse SFR
20	PB505B Duke Power Company	04738202	05307-677	N1-B	Utility
21	Life Storage LP	04738203	36141-791	BD(CD)	Storage

SITE AREA AND ZONING NOTE:
 SEE SHEET (R22.0) FOR PROPOSED ZONING AND USE AREA LIMITS (TYP.).

TRAFFIC IMPROVEMENT NOTE:
 SEE DEVELOPMENT STANDARDS NOTES (R22.1 AND R22.2) FOR ALL REQUIRED ONSITE/OFFSITE TRAFFIC IMPROVEMENTS AND TRAFFIC PHASING (TYP.).

ZONING LEGEND
 = CG(CD)
 = N2-B(CD)

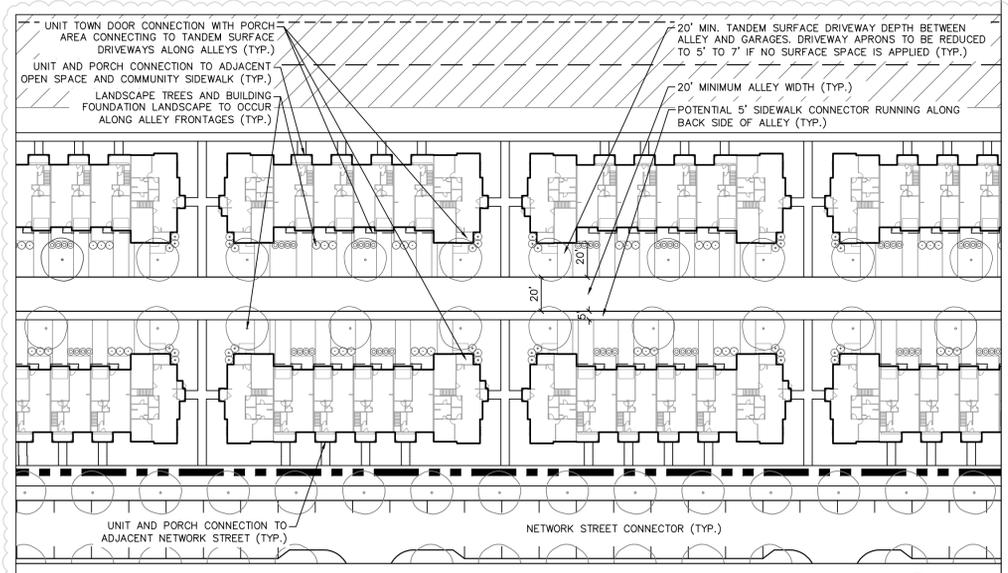


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PROPOSED ZONING AND USE AREA MAP
(1" = 150')

Plan Submittal Date: 07/15/2024	Development Area A	Development Area B	Development Area C	Development Area D	Development Area E
Current Zoning	MUDD-O	MUDD-O	MUDD-O and R-12MF(CD)	MUDD-O and R-12MF(CD)	R-12MF(CD)
Proposed Zoning and Additional Vested Rights if Applicable	CG(CD) with 5-years vested rights	N2-B(CD) with 5-years vested rights	N2-B(CD) with 5-years vested rights	N2-B(CD) with 5-years vested rights	N2-B(CD) with 5-years vested rights
Acreage					
Parcels	029-021-21	029-021-21	029-021-21 and 029-021-24	029-021-21 and 029-021-24	029-021-24
Maximum Height	Per Ordinance	65 feet	Multi-family stacked dwelling unit building: 65 feet; multi-family attached dwelling unit building: 50 feet	Multi-family stacked dwelling unit building: 50 feet; multi-family attached dwelling unit building: 40 feet	Multi-family attached dwelling unit building located west of the Connector Road: 40 feet and 2 stories; multi-family attached dwelling unit building located east of the Connector Road: 50 feet
Baseline Maximum Entitlement	30,000 square feet of the enumerated non-residential uses and 130 hotel rooms	100 multi-family stacked dwelling units	310 multi-family stacked dwelling units and 40 multi-family attached dwelling units for a total maximum of 350 dwelling units	290 multi-family stacked dwelling units and 60 multi-family attached dwelling units for a total maximum of 350 dwelling units	80 multi-family attached dwelling units
Conversion Rights	None	None	If less than 310 multi-family stacked dwelling units are developed, the undeveloped multi-family stacked dwelling units may be developed as multi-family attached dwelling units provided that the total number of dwelling units does not exceed 350 dwelling units	If less than 290 multi-family stacked dwelling units are developed, the undeveloped multi-family stacked dwelling units may be developed as multi-family attached dwelling units provided that the total number of dwelling units does not exceed 350 dwelling units	None
Maximum Entitlement with Transfers and/or Conversions	N/A	N/A	350 dwelling units	350 dwelling units	N/A

MASTER DEVELOPMENT DATA TABLE



AREA C & D TOWNHOME - ALLEY EXHIBIT
(1" = 50')

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DEVELOPMENT STANDARDS:

1. GENERAL PROVISIONS

A. DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS
A. DEVELOPMENT STANDARDS THE ZONING PLAN IS A PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY CHARTER PROPERTIES, INC. (THE "PETITIONER") FOR AN APPROXIMATELY 65.27 ACRE SITE THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THE FOLLOWING PARCELS: 029-021-21 AND 029-021-24.

B. DEVELOPMENT AREAS FOR IDENTIFICATION PURPOSES, THE SITE IS DIVIDED INTO FIVE SEPARATE DEVELOPMENT AREAS THAT ARE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C, DEVELOPMENT AREA D AND DEVELOPMENT AREA E, AND BUILDING AND PARKING ENVELOPES ARE LOCATED WITHIN EACH DEVELOPMENT AREA. DEVELOPMENT AREA A IS FURTHER DIVIDED INTO THREE OUTPARCELS ON THE REZONING PLAN AS OUTPARCEL 1, OUTPARCEL 2 AND OUTPARCEL 3. ALL PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES AND PARKING AREAS SHALL BE LOCATED WITHIN A BUILDING AND PARKING ENVELOPE. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES THAT MAY BE LOCATED WITHIN A BUILDING AND PARKING ENVELOPE LOCATED ON DEVELOPMENT AREA A. ANY REFERENCE HEREIN TO THE SITE SHALL BE DEEMED TO INCLUDE DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C, DEVELOPMENT AREA D AND DEVELOPMENT AREA E, UNLESS OTHERWISE NOTED. THE BOUNDARIES OF THE DEVELOPMENT AREAS SET OUT ON SHEET RZ2.0 OF THE REZONING PLAN ARE SUBJECT TO MINOR ADJUSTMENTS DURING THE PERMITTING PROCESS.

C. ZONING DISTRICTS/ORDINANCE. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE") UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS UNDER THE ORDINANCE FOR THE CC (COMMERCIAL GENERAL) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THOSE PORTIONS OF THE SITE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C, DEVELOPMENT AREA D AND DEVELOPMENT AREA E.

D. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, BUILDINGS, SIDEWALKS, DRIVEWAYS, STREETS, DEVELOPMENT AREA BOUNDARIES 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 ARTICLE 37 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 MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION ARTICLE 37 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

- (1) MINOR AND DO NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PURSUANT TO THIS AMENDMENT PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PURSUANT TO ARTICLE 37 OF THE ORDINANCE IN EACH INSTANCE, HOWEVER, SUBJECT TO PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.
- E. UNIFIED DEVELOPMENT.** THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, LANDSCAPE YARDS, BUILDING HEIGHT, SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, PETITIONER RESERVES THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC PRIVATE STREET FRONTAGE REQUIREMENTS. PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD, REAR YARD AND LANDSCAPE YARD REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARIES OF THE SITE.
- F. VESTED RIGHTS.** PURSUANT TO SECTION 37.6 OF THE ORDINANCE AND SECTION 1600-108.1 OF THE NORTH CAROLINA GENERAL STATUTES, THE REZONING PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF 5 YEARS DUE TO THE SIZE AND PHASING OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, ECONOMIC CYCLES AND MARKET CONDITIONS.
- G. AMENDMENTS.** 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 ARTICLE 37 OF THE ORDINANCE.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. DEVELOPMENT AREA A

- (1) SUBJECT TO THE LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA A MAY ONLY BE DEVOTED TO THE USES SET OUT BELOW (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT.
- (a) ART GALLERY.
- (b) ARTS OR FITNESS STUDIO.
- (c) COMMERCIAL FITNESS CENTER.
- (d) COMMERCIAL KITCHEN.
- (e) FINANCIAL INSTITUTION.
- (f) HOTEL.
- (g) MEDICAL/DENTAL OFFICE.
- (h) OFFICE.
- (i) PERSONAL SERVICE ESTABLISHMENT.
- (j) RESTAURANT/BAR.
- (k) RETAIL GOODS ESTABLISHMENT.
- (l) RETAIL GOODS: SHOWROOM.
- (m) VEHICLE FUELING FACILITY.
- (2) A TOTAL MAXIMUM OF 30,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO THE USES SET OUT ABOVE (EXCLUDING A HOTEL USE) MAY BE DEVELOPED ON DEVELOPMENT AREA A. NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY, THE GROSS FLOOR AREA OF A HOTEL AND ANY ACCESSORY USES RELATING THERETO SHALL NOT COUNT TOWARDS THE TOTAL MAXIMUM 30,000 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE DEVELOPED ON DEVELOPMENT AREA A.
- (3) A MAXIMUM OF ONE VEHICLE FUELING FACILITY MAY BE LOCATED ON DEVELOPMENT AREA A.
- (4) A MAXIMUM OF ONE HOTEL MAY BE LOCATED ON DEVELOPMENT AREA A, AND SUCH HOTEL MAY CONTAIN A MAXIMUM OF 130 HOTEL ROOMS AND ACCESSORY USES RELATING THERETO.
- (5) A MAXIMUM OF ONE USE LOCATED ON DEVELOPMENT AREA A MAY HAVE ACCESSORY DRIVE-IN AND DRIVE-THROUGH SERVICE LANES/WINDOWS, AND ACCESSORY DRIVE-IN AND DRIVE-THROUGH SERVICE LANES/WINDOWS SHALL ONLY BE PERMITTED AS AN ACCESSORY USE TO A FINANCIAL INSTITUTION.

B. DEVELOPMENT AREA B

- (1) SUBJECT TO THE LIMITATIONS AND PROVISIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA B MAY ONLY BE DEVOTED TO AN AGE RESTRICTED, AFFORDABLE MULTI-FAMILY STACKED DWELLING UNIT RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 100 MULTI-FAMILY STACKED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE N2-B ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AMENITIES FOR THE RESIDENTS AND FREESTANDING GARAGES AND/OR CARPORTS.
- (2) AN AGE RESTRICTED RESIDENTIAL COMMUNITY SHALL MEAN A COMMUNITY THAT IS INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; PUBLISHES AN ADHERES TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO PROVIDE HOUSING FOR PERSONS 55 YEARS OF AGE OR OLDER; COMPLIES WITH HUD'S REGULATORY REQUIREMENTS FOR VERIFICATION OF OCCUPANCY; AND OTHERWISE MEETS THE APPLICABLE REQUIREMENTS OF THE STATE AND FEDERAL FAIR HOUSING ACTS TO QUALIFY AS "HOUSING FOR OLDER PERSONS."
- (3) SUBJECT TO THE TERMS OF PARAGRAPH 2.B.(4) BELOW, THE MULTI-FAMILY STACKED DWELLING UNITS LOCATED ON DEVELOPMENT AREA B SHALL MAINTAIN MONTHLY RENTS THAT ARE INCOME RESTRICTED TO HOUSEHOLDS EARNING ON AVERAGE 80% OR LESS OF THE AREA MEDIAN INCOME AS OUTLINED IN THE UDO ADMINISTRATION MANUAL FOR A PERIOD OF NOT LESS THAN 15 YEARS FROM THE DATE OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE BUILDING TO BE CONSTRUCTED ON DEVELOPMENT AREA B.
- (4) PETITIONER SHALL USE DILIGENT GOOD FAITH EFFORTS TO OBTAIN APPLICABLE LOW-INCOME TAX CREDITS DURING THE APPLICABLE APPLICATION PERIODS OVER THE ONE (1) YEAR PERIOD NEXT FOLLOWING THE DATE ON WHICH THIS REZONING PETITION IS APPROVED. IN THE EVENT THAT AFTER THE EXERCISE OF SUCH GOOD FAITH EFFORTS, PETITIONER IS UNABLE TO OBTAIN APPLICABLE LOW INCOME TAX CREDITS OR OTHER REQUIRED FUNDING WITHIN SUCH ONE (1) YEAR PERIOD, THE MULTI-FAMILY STACKED DWELLING UNIT RESIDENTIAL COMMUNITY LOCATED ON DEVELOPMENT AREA B MAY BE DEVELOPED WITHOUT REGARD TO THE AFFORDABLE HOUSING COMMITMENT SET OUT ABOVE IN PARAGRAPH 2.B.(3), AND THE MULTI-FAMILY STACKED DWELLING UNIT RESIDENTIAL COMMUNITY LOCATED ON DEVELOPMENT AREA B SHALL NOT BE REQUIRED TO BE AN AGE RESTRICTED RESIDENTIAL COMMUNITY, PROVIDED THAT PETITIONER SUBMITS TO THE PLANNING STAFF PROOF OF PETITIONER OR ITS DESIGNEE HAVING FILED WITH THE CITY OF CHARLOTTE A PROPOSAL FOR AFFORDING HOUSING DEVELOPMENT THROUGH THE CITY'S HOUSING TRUST FUND DURING SAID ONE (1) YEAR PERIOD.

C. DEVELOPMENT AREA C

- (1) SUBJECT TO THE LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA C MAY ONLY BE DEVOTED TO MULTI-FAMILY STACKED DWELLING UNITS AND MULTI-FAMILY ATTACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE N2-B ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AMENITIES FOR THE RESIDENTS AND FREESTANDING GARAGES AND/OR CARPORTS.
- (2) A TOTAL MAXIMUM OF 310 MULTI-FAMILY STACKED DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA C.
- (3) SUBJECT TO THE TERMS OF PARAGRAPH 2.C.(4) BELOW, A TOTAL MAXIMUM OF 40 MULTI-FAMILY ATTACHED DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA C.
- (4) NOTWITHSTANDING THE TERMS OF PARAGRAPH 2.C.(3) ABOVE, IF LESS THAN 30 MULTI-FAMILY STACKED DWELLING UNITS ARE DEVELOPED ON DEVELOPMENT AREA C, THE UNDEVELOPED MULTI-FAMILY STACKED DWELLING UNITS MAY BE DEVELOPED AS MULTI-FAMILY ATTACHED DWELLING UNITS ON DEVELOPMENT AREA C PROVIDED THAT THE TOTAL NUMBER OF DWELLING UNITS DEVELOPED ON DEVELOPMENT AREA C DOES NOT EXCEED 350 DWELLING UNITS.

D. DEVELOPMENT AREA D

- (1) SUBJECT TO THE LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA D MAY ONLY BE DEVOTED TO MULTI-FAMILY STACKED DWELLING UNITS AND MULTI-FAMILY ATTACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE N2-B ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AMENITIES FOR THE RESIDENTS AND FREESTANDING GARAGES AND/OR CARPORTS.
- (2) A TOTAL MAXIMUM OF 290 MULTI-FAMILY STACKED DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA D. MULTI-FAMILY STACKED DWELLING UNITS INCLUDE THOSE DWELLING UNITS LOCATED IN THE CARRIAGE BUILDINGS NOTED ON THE REZONING PLAN.
- (3) SUBJECT TO THE TERMS OF PARAGRAPH 2.D.(4) BELOW, A TOTAL MAXIMUM OF 60 MULTI-FAMILY ATTACHED DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA D.
- (4) NOTWITHSTANDING THE TERMS OF PARAGRAPH 2.D.(3) ABOVE, IF LESS THAN 290 MULTI-FAMILY STACKED DWELLING UNITS ARE DEVELOPED ON DEVELOPMENT AREA D, THE UNDEVELOPED MULTI-FAMILY STACKED DWELLING UNITS MAY BE DEVELOPED AS MULTI-FAMILY ATTACHED DWELLING UNITS

ON DEVELOPMENT AREA D PROVIDED THAT THE TOTAL NUMBER OF DWELLING UNITS DEVELOPED ON DEVELOPMENT AREA D DOES NOT EXCEED 350 DWELLING UNITS

E. DEVELOPMENT AREA E

- (1) SUBJECT TO THE LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA E MAY ONLY BE DEVOTED TO MULTI-FAMILY ATTACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE N2-B ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AMENITIES FOR THE RESIDENTS.
- (2) A TOTAL MAXIMUM OF 80 MULTI-FAMILY ATTACHED DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA E.
- (3) PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW MULTI-FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON DEVELOPMENT AREA E, PETITIONER SHALL RECORD COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEVELOPMENT AREA E THAT CONTAIN A PROVISION THAT PROVIDES THAT NO MORE THAN 20 PERCENT OF THE TOTAL NUMBER OF MULTI-FAMILY ATTACHED DWELLING UNITS ACTUALLY CONSTRUCTED ON DEVELOPMENT AREA E MAY BE LEASED OR RENTED TO THIRD PARTIES AT ANY ONE TIME.

3. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN.** NOTWITHSTANDING THE FOREGOING, THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS MAY BE MODIFIED BY PETITIONER DURING THE PERMITTING PROCESS TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, CHANGES IN BUILDING AND PARKING LAYOUTS AND SITE CONSTRAINTS AND TO ACCOMMODATE ANY MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENTS AND LOCATIONS OF THE INTERNAL PUBLIC OR PRIVATE STREETS, INTERNAL PRIVATE ALLEYS, INTERNAL PRIVATE DRIVES, VEHICULAR CIRCULATION AREAS AND DRIVEWAYS DEPICTED ON THE REZONING PLAN MAY BE MODIFIED BY PETITIONER DURING THE PERMITTING PROCESS TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, CHANGES IN BUILDING LAYOUTS AND SITE CONSTRAINTS AND TO ACCOMMODATE ANY MODIFICATIONS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.**
- C. 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.
- D. THE INTERNAL STREET CONNECTING WEST MALLARD CREEK CHURCH ROAD TO GALLOWAY ROAD AND RUNNING IN A NORTH-SOUTH DIRECTION THAT IS DESIGNATED AS THE NETWORK STREET CONNECTOR ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "CONNECTOR ROAD") SHALL, AT THE OPTION OF PETITIONER, BE A PUBLIC STREET OR A PRIVATE STREET WITH A PUBLIC ACCESS EASEMENT. THE CONSTRUCTION OF THIS STREET MAY BE PHASED BY PETITIONER.**
- E. PETITIONER SHALL RESERVE FOR FUTURE RIGHT OF WAY FOR A POTENTIAL NEW PUBLIC STREET TO BE CONSTRUCTED BY OTHERS (AND NOT PETITIONER) THAT MAY ULTIMATELY CONNECT THE CONNECTOR ROAD TO CREEKEMERE LANE LOCATED TO THE WEST OF THE SITE THAT PORTION OF THE SITE LOCATED WEST OF THE CONNECTOR ROAD AND MEASURING 67 FEET IN WIDTH THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "FUTURE RIGHT OF WAY"). THE FUTURE RIGHT OF WAY SHALL BE DEDICATED AND CONVEYED TO THE CITY BY PETITIONER UPON THE REQUEST OF THE CITY WHEN THE NEW PUBLIC STREET IS TO BE CONSTRUCTED BY OTHERS. THE FUTURE RIGHT OF WAY IS LOCATED IN A PORTION OF THE MINIMUM 75-FOOT-WIDE LANDSCAPE YARD DESCRIBED BELOW IN PARAGRAPH 8.A.**
- F. A MINIMUM OF 100 FEET OF INTERNAL PROTECTED STEM SHALL BE PROVIDED FOR ACCESS A AND ACCESS B AS DEPICTED ON THE REZONING PLAN.**
- G. ACCESS A SHALL BE A RIGHT-IN ONLY VEHICULAR ACCESS POINT WITH 100 FEET OF STORAGE AND AN APPROPRIATE DECELERATION LANE AND 250 FEET OF TAPER.**
- H. SUBJECT TO THE APPROVAL OF THE CHARLOTTE FIRE DEPARTMENT, NCDOT, CDOT AND OTHER APPLICABLE GOVERNMENTAL AUTHORITIES, ACCESS A SHALL BE SKEWED 65 DEGREES, AND IT SHALL BE 17 FEET IN WIDTH BACK OF CURB TO BACK OF CURB THROUGH INTERNAL PROTECTED STEM.**
- I. ALL INTERNAL NETWORK REQUIRED STREETS SHALL BE CONSTRUCTED TO THE STANDARDS OF A RESIDENTIAL WIDE STREET (U-03).**
- J. INTERNAL ALLEYS SHALL BE PRIVATELY MAINTAINED AND SHALL MEET THE APPLICABLE REQUIREMENTS OF THE CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL.**
- K. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY-MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.**
- L. PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, AND THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE. PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS/MULTI-USE PATHS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALKS/MULTI-USE PATHS WHERE FEASIBLE.**
- M. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTHEASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.**
- N. ANY REFERENCE TO THE TERM "SUBSTANTIALLY COMPLETE" IN THIS SECTION 3 OF THE DEVELOPMENT STANDARDS SHALL MEAN A DETERMINATION BY CDOT AND/OR NCDOT THAT THE APPLICABLE ROADWAY IMPROVEMENTS ARE DEEMED "SUBSTANTIALLY COMPLETE" FOR THE PURPOSE OF THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR BUILDING(S) ON THE SITE. HOWEVER, IN THE EVENT THAT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT PETITIONER MAY BE REQUIRED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH CERTIFICATES OF OCCUPANCY ARE ISSUED TO SECURE THE COMPLETION OF THE RELEVANT IMPROVEMENTS.**
- O. THE TRANSPORTATION IMPROVEMENTS SET OUT BELOW SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR NEW BUILDING LOCATED IN DEVELOPMENT AREA A OR DEVELOPMENT B.**

(1) WEST MALLARD CREEK CHURCH ROAD & SENATOR ROYALL DRIVE (SIGNALIZED)

- (a) IMPLEMENT A SIGNALIZED THRU CUT ACCESS CONFIGURATION AT LEGRANGER ROAD/ACCESS "B" TO ELIMINATE WESTBOUND U-TURN SITE TRIPS.
- (2) WEST MALLARD CREEK CHURCH ROAD & LEGRANGER ROAD/ACCESS "B" (UNSIGNALIZED)
SIGNALIZED THRU CUT ACCESS CONFIGURATION WITH THE FOLLOWING IMPROVEMENTS.
- (a) ONE INGRESS LANE AND THREE EGRESS LANES (A SOUTHBOUND TERMINATING RIGHT TURN LANE AND DUAL LEFT TURN LANES WITH 150 FEET OF STORAGE EACH) ON ACCESS "B".
- (b) CONSTRUCT A NORTHBOUND LEFT TURN LANE WITH 150 FEET OF STORAGE ON LEGRANGER ROAD.
- (c) RE-MARK THE EXISTING TWO-WAY LEFT-TURN LANE MEDIAN TO INCLUDE AN EASTBOUND LEFT TURN LANE WITH 500 FEET OF STORAGE ON WEST MALLARD CREEK CHURCH ROAD.
- (d) WIDEN WEST MALLARD CREEK CHURCH ROAD TO ACCOMMODATE MEDIAN REQUIREMENTS PER THE CONCEPT PLAN.
- (e) CONSTRUCT A WESTBOUND RIGHT TURN LANE WITH 150 FEET OF STORAGE ON WEST MALLARD CREEK CHURCH ROAD.
- (f) CONSTRUCT CHANNELIZING MEDIANS TO RESTRICT NORTHBOUND/SOUTHBOUND THRU MOVEMENTS.
- (g) INSTALL A TRAFFIC SIGNAL WITH:
- (i) PROTECTED PHASING FOR ALL LEFT TURN MOVEMENTS.
- (ii) PERMITTED+OVERLAP PHASING FOR EASTBOUND AND WESTBOUND RIGHT TURN MOVEMENTS.
- (iii) OVERLAP PHASING FOR THE NORTHBOUND AND SOUTHBOUND RIGHT TURN MOVEMENTS.
- (3) WEST MALLARD CREEK CHURCH ROAD & I-85 SOUTHBOUND RAMPS (SIGNALIZED)
- (a) CONSTRUCT A SECOND WESTBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE ON WEST MALLARD CREEK CHURCH ROAD, PROVIDED, HOWEVER, THAT NO STRUCTURAL MODIFICATIONS TO THE EXISTING BRIDGE DECK SHALL BE REQUIRED TO ACCOMMODATE THIS IMPROVEMENT.
- (i) THE FEASIBILITY OF THIS IMPROVEMENT SHOULD BE FURTHER EVALUATED CONSIDERING THE RESTRICTION OF THE EXISTING BRIDGE DECK.
- (b) CONSTRUCT A SECOND SOUTHBOUND FULL WIDTH RECEIVING LANE ON THE I-85 SOUTHBOUND ON RAMP TO TRANSITION BACK TO THE EXISTING SINGLE LANE AT APPROXIMATELY 800 FEET.
- (c) PROVIDE PEDESTRIAN CROSSING ACROSS WEST MALLARD CREEK CHURCH ROAD ON THE WEST SIDE OF THE INTERSECTION.

(4) WEST MALLARD CREEK CHURCH ROAD & I-85 NORTHBOUND RAMPS (SIGNALIZED)

- (a) IMPLEMENT A SIGNALIZED THRU CUT ACCESS CONFIGURATION AT LEGRANGER ROAD/ACCESS "B" TO ELIMINATE EASTBOUND U-TURN SITE TRIPS.
- (b) CONSTRUCT A SECOND EASTBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE ON WEST MALLARD CREEK CHURCH ROAD, PROVIDED, HOWEVER, THAT NO STRUCTURAL MODIFICATIONS TO THE EXISTING BRIDGE DECK SHALL BE REQUIRED TO ACCOMMODATE THIS IMPROVEMENT.
- (i) THE FEASIBILITY OF THIS IMPROVEMENT SHOULD BE FURTHER EVALUATED CONSIDERING THE RESTRICTION OF THE EXISTING BRIDGE DECK.
- (c) CONSTRUCT A SECOND NORTHBOUND FULL WIDTH RECEIVING LANE ON THE I-85 NORTHBOUND ON RAMP TO TRANSITION BACK TO THE EXISTING SINGLE LANE AT APPROXIMATELY 800 FEET.
- (d) INSTALL APPROPRIATE SIGNAGE TO PROHIBIT EASTBOUND U-TURNS.
- (5) GALLOWAY ROAD & GALLOWAY PARK DRIVE/ACCESS "C" (UNSIGNALIZED)
FULL MOVEMENT ACCESS CONFIGURATION WITH THE FOLLOWING IMPROVEMENT.
- (a) ONE INGRESS LANE AND ONE EGRESS LANE ON ACCESS "C".
- (6) GALLOWAY ROAD & CORAN CROSS DRIVE/ACCESS "D" (UNSIGNALIZED)
FULL MOVEMENT ACCESS CONFIGURATION WITH THE FOLLOWING IMPROVEMENT.
- (a) ONE INGRESS LANE AND ONE EGRESS LANE ON ACCESS "D".
- (7) WEST MALLARD CREEK CHURCH ROAD & ACCESS "A" (UNSIGNALIZED)
RIGHT-IN ONLY ACCESS CONFIGURATION WITH THE FOLLOWING IMPROVEMENTS.
- (a) ONE INGRESS LANE ON ACCESS "A".
- (b) CONSTRUCT A WESTBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE ON WEST MALLARD CREEK CHURCH ROAD.
- P. THE TRANSPORTATION IMPROVEMENTS SET OUT BELOW SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A BUILDING LOCATED IN DEVELOPMENT AREA D.**

(1) MALLARD CREEK ROAD & GALLOWAY ROAD (SIGNALIZED)

- (a) CONSTRUCT A WESTBOUND RIGHT TURN LANE WITH 100 FEET OF STORAGE ON GALLOWAY ROAD.
- (b) IMPLEMENT PROTECTED PHASING FOR THE NORTHBOUND AND SOUTHBOUND LEFT TURN MOVEMENTS.
- (c) ELEMENT PERMITTING AND OVERLAP PHASING FOR THE WESTBOUND RIGHT TURN MOVEMENT.
- Q. ALL OF THE MULTI-FAMILY ATTACHED DWELLING UNITS TO BE DEVELOPED IN DEVELOPMENT AREA E MAY BE COMPLETED AND CERTIFICATES OF OCCUPANCY ISSUED FOR SUCH DWELLING UNITS PRIOR TO THE COMPLETION OF ANY OF THE REQUIRED TRANSPORTATION IMPROVEMENTS SET OUT IN THIS SECTION 3 OF THE DEVELOPMENT STANDARDS PROVIDED THAT DEVELOPMENT AREA E DOES NOT HAVE A VEHICULAR CONNECTION TO WEST MALLARD CREEK CHURCH ROAD.**
- R. AS AN ALTERNATIVE TO THE IMPROVEMENTS LISTED IN PARAGRAPHS 3.O AND 3.P ABOVE, IF ALL PARTIES IN COORDINATION WITH CDOT, NCDOT AND THE CITY OF CHARLOTTE, AS APPLICABLE, FIND THAT ALTERNATIVE TRANSPORTATION IMPROVEMENTS MAY BE PREFERRED, THE ABOVE COMMITMENTS MAY BE MODIFIED BY SUCH PARTIES.**

S. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, IT IS UNDERSTOOD THAT SOME OF THE TRANSPORTATION IMPROVEMENTS MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT OF WAY. IF AFTER THE EXERCISE OF ADDITIONAL RIGHT OF WAY, IF AFTER THE EXERCISE OF A 60-DAY PERIOD, PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT OF WAY UPON COMMERCIALLY REASONABLE TERMS AND AT MARKET PRICES, THEN THE CITY OF CHARLOTTE, OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY MAY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT, OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS (NOT TO EXCEED FAIR MARKET VALUE). FURTHERMORE, IN THE EVENT ANY OF THE TRANSPORTATION IMPROVEMENTS ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT OF WAY AS CONTEMPLATED HEREIN AND SUCH DELAY EXTENDS BEYOND THE TIME THAT PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING, THEN CDOT OR NCDOT MAY INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS; PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE TRANSPORTATION IMPROVEMENT(S); IN SUCH EVENT PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

T. MULTIMODAL ASSESSMENT – MEDIUM TO HIGH INTENSITY

- (1) THE FOLLOWING IMPROVEMENT WILL BE INSTALLED BY PETITIONER TO MEET THE 14-POINT MULTI-MODAL ASSESSMENT MITIGATION REQUIREMENT.
- (a) CONSTRUCT A SHARED-USE PATH IN ACCORDANCE WITH THE COUNCIL-ADOPTED CHARLOTTE STREETS MAP ALONG THE SITE'S FRONTAGE ON WEST MALLARD CREEK CHURCH ROAD. THE SHARED-USE PATH WILL ACCOUNT FOR APPROXIMATELY 750 FEET ALONG THE SITE'S FRONTAGE ON W MALLARD CREEK CHURCH ROAD (15 MITIGATION POINTS). THIS IMPROVEMENT IS ALSO REFERENCED IN PARAGRAPH 5.B BELOW.
- U. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING TO BE CONSTRUCTED ON THE SITE AND SUBJECT TO THE AGREEMENT OF CDOT TO ACCEPT THE FUNDS, PETITIONER SHALL DONATE THE SUM OF \$10,000 TO CDOT FOR THE INSTALLATION OF TRAFFIC CALMING MEASURES ON GALLOWAY ROAD BY CDOT. CDOT WILL DETERMINE THE TYPE OR TYPES OF TRAFFIC CALMING MEASURES TO BE INSTALLED ON GALLOWAY ROAD.**

4. ARCHITECTURAL STANDARDS

A. MAXIMUM BUILDING HEIGHTS

- (1) DEVELOPMENT AREA A
- (a) THE MAXIMUM HEIGHT OF ANY BUILDING LOCATED ON DEVELOPMENT AREA A SHALL BE GOVERNED BY THE ORDINANCE.
- (2) DEVELOPMENT AREA B
- (a) PURSUANT TO SECTION 5.3.D., TABLE 5-3.A., FOOTNOTE 3 OF THE ORDINANCE, THE MAXIMUM HEIGHT OF THE MULTI-FAMILY STACKED DWELLING UNIT BUILDING LOCATED ON DEVELOPMENT AREA B SHALL BE 65 FEET.
- (3) DEVELOPMENT AREA C
- (a) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY STACKED DWELLING UNIT BUILDING LOCATED ON DEVELOPMENT AREA C SHALL BE 65 FEET.
- (b) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY ATTACHED DWELLING UNIT BUILDING LOCATED ON DEVELOPMENT AREA C SHALL BE 50 FEET.
- (4) DEVELOPMENT AREA D
- (a) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY STACKED DWELLING UNIT BUILDING LOCATED ON DEVELOPMENT AREA D SHALL BE 50 FEET.
- (b) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY ATTACHED DWELLING UNIT BUILDING LOCATED ON DEVELOPMENT AREA D SHALL BE 40 FEET.
- (5) DEVELOPMENT AREA E
- (a) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY ATTACHED DWELLING UNIT BUILDING LOCATED WEST OF THE CONNECTOR ROAD ON DEVELOPMENT AREA E SHALL BE 40 FEET. ADDITIONALLY, THE MAXIMUM HEIGHT IN STORES OF THESE MULTI-FAMILY ATTACHED DWELLING UNIT BUILDINGS SHALL BE TWO (2) STORES. FOR SAKE OF CLARITY, THESE MULTI-FAMILY ATTACHED DWELLING UNIT BUILDINGS ARE DESIGNATED WITH AN ASTERISK ON THE REZONING PLAN.
- (b) THE MAXIMUM HEIGHT OF ANY MULTI-FAMILY ATTACHED DWELLING UNIT BUILDING LOCATED EAST OF THE CONNECTOR ROAD ON DEVELOPMENT AREA E SHALL BE 50 FEET.

B. ARCHITECTURAL AND DESIGN STANDARDS FOR COMMERCIAL BUILDINGS ON DEVELOPMENT AREA A

- (1) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO ANY COMMERCIAL BUILDING CONSTRUCTED ON DEVELOPMENT AREA A.
- (2) SET OUT ON EACH OF OUTPARCEL 1, OUTPARCEL 2 AND OUTPARCEL 3 IS A DASHED LINE THAT REPRESENTS THE BUILD TO LINE FOR EACH OUTPARCEL (THE "BUILD TO LINE").
- (b) DRIVE AISLES AND PARKING LOTS SHALL NOT BE LOCATED BETWEEN THE BUILD TO LINE AND THE ADJACENT STREET.
- (c) THE MINIMUM HEIGHT FOR BUILDINGS LOCATED IN DEVELOPMENT AREA A SHALL BE 22 FEET.
- (d) AT LEAST 30% OF THE EXTERIOR SURFACE AREA OF THE FACADES OF EACH BUILDING BELOW THE ROOFLINE THAT FRONT THE BUILD TO LINE SHALL BE CONSTRUCTED OF BRICK, AND THE MAXIMUM BLANK WALL AREA ON SUCH FACADES SHALL NOT EXCEED 20 FEET. "THE FACADES BELOW THE ROOFLINE" IS DEFINED AS THE ENTIRE EXTERIOR SURFACE AREA BELOW THE ROOFLINE EXCLUDING WINDOWS, DOORS, BALCONIES AND TRIM, SO THAT WINDOWS, DOORS, BALCONIES AND TRIM ARE NOT CONSIDERED WHEN CALCULATING THE MINIMUM PERCENTAGE OF BUILDING MATERIALS REQUIRED.

C. ARCHITECTURAL AND DESIGN STANDARDS FOR MULTI-FAMILY STACKED DWELLING UNIT BUILDINGS

- (1) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO ANY MULTI-FAMILY STACKED DWELLING UNIT BUILDING CONSTRUCTED ON THE SITE. THESE STANDARDS DO NOT APPLY TO CARRIAGE BUILDINGS.
- (2) REQUIRED EXTERIOR BUILDING MATERIALS: WITH RESPECT TO EACH PRINCIPAL AND ACCESSORY BUILDING THAT ABUTS A NETWORK REQUIRED PUBLIC OR PRIVATE STREET, THE FACADE OF SUCH BUILDING THAT FACES SUCH NETWORK STREET SHALL CONTAIN A MINIMUM OF 20% BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
- (3) PROHIBITED EXTERIOR BUILDING MATERIALS:
- (i) VINYL SIDING (BUT NOT VINYL HANDRAILS, WINDOWS, SOFFITS, DOORS OR DOOR TRIM).
- (ii) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- (c) BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
- (i) BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FACADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE).
- (d) BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
- (i) BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (SUCH AS RECESSES, PROJECTIONS AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
- (ii) BALCONETS SHALL NOT BE USED AT THE STREET LEVEL ALONG NETWORK REQUIRED PUBLIC OR PRIVATE STREETS.
- (e) ARCHITECTURAL ELEVATION DESIGN – ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
- (i) BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PLASTER, BANDING AND CHANGE IN MATERIALS OR COLORS.
- (ii) BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF THE REQUIRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FACADE FEATURES AND COLOR CHANGES.
- (iii) BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
- (f) ROOF FORM AND ARTICULATION – ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
- (i) LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE, BUT NOT BE LIMITED TO, GABLES, HIPs, DORMERS OR PARAPETS.
- (ii) FOR PITCHED ROOFS, THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.
- (iii) ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.

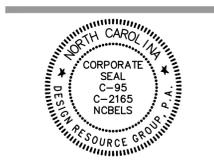
D. ARCHITECTURAL AND DESIGN STANDARDS FOR MULTI-FAMILY ATTACHED DWELLING UNIT BUILDINGS

- (1) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO ANY MULTI-FAMILY ATTACHED DWELLING UNITS CONSTRUCTED ON THE SITE.
- (2) THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE MULTI-FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE WILL BE ONE OF OR A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE AND CEMENTITIOUS SIDING.
- (b) VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY MULTI-FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.
- (c) NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY, STANDARD ARCHITECTURAL SHINGLES, METAL ACCENTS AND STANDING SEAM ROOFS AND AWNINGS MAY BE UTILIZED ON THE EXTERIORS OF THE MULTI-FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE.



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REZONING PETITION

FOR PUBLIC HEARING

2024-090

REZONING PETITION

CHARTER - WEST MALLARD CREEK CHURCH RD SITE
 CHARLOTTE, NORTH CAROLINA

CHARTER PROPERTIES
 1520 SOUTH BOULEVARD, SUITE 215
 CHARLOTTE, NC 28203

TECHNICAL DATA SHEET



PROJECT #: 638-100
 DRAWN BY: NB
 CHECKED BY: NB

- (d) THE ACTUAL SIZES OF THE MULTI-FAMILY ATTACHED DWELLING UNITS/LOTS MAY VARY FROM THE SIZES DEPICTED ON THE REZONING PLAN.
- (e) 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.
- (f) THE FRONT PORCH OF EACH MULTI-FAMILY DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET ON EACH LEVEL OF THE DWELLING UNIT.
- (g) EACH CORNER OR END MULTI-FAMILY ATTACHED DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS ON THE SIDE OF THE MULTI-FAMILY ATTACHED DWELLING UNIT THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE DWELLING UNIT.
- (h) EACH MULTI-FAMILY ATTACHED DWELLING UNIT SHALL HAVE A COVERED FRONT STOOP WITH A MINIMUM DEPTH OF 4 FEET AND A MINIMUM WIDTH OF 5 FEET. THE FRONT STOOP MAY BE COVERED BY AN AWNING, CANOPY, ROOF EXTENSION OR OTHER ARCHITECTURAL FEATURE CHOSEN BY PETITIONER.
- (i) EACH MULTI-FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE.

- 1. STREETScape**
- A. PETITIONER SHALL INSTALL A MINIMUM 8-FOOT-WIDE PLANTING STRIP AND A MINIMUM 8-FOOT-WIDE SIDEWALK ALONG THE SITE'S FRONTAGE ON GALLOWAY ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM 8-FOOT-WIDE SIDEWALK MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
 - B. PETITIONER SHALL INSTALL A MINIMUM 8-FOOT-WIDE PLANTING STRIP AND A MINIMUM 12-FOOT-WIDE MULTI-USE PATH ALONG THE SITE'S FRONTAGE ON WEST MALLARD CREEK CHURCH ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM 12-FOOT-WIDE MULTI-USE PATH SHALL BE LOCATED WITHIN A PUBLIC ACCESS EASEMENT AND SHALL BE MAINTAINED BY PETITIONER.
 - C. SUBJECT TO THE APPROVAL OF NCDOT, CDOT AND ANY OTHER GOVERNMENTAL AGENCIES, PETITIONER SHALL INSTALL CURB AND GUTTER, A MINIMUM 8-FOOT-WIDE PLANTING STRIP AND A MINIMUM 6-FOOT-WIDE SIDEWALK ALONG THE SOUTH SIDE OF GALLOWAY ROAD FROM THE WESTERN BOUNDARY LINE OF THE SITE TO THE EXISTING SIDEWALK LOCATED GENERALLY AT THE INTERSECTION OF GALLOWAY ROAD AND GARRISON ROAD. IN THE EVENT THAT PETITIONER CANNOT OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO INSTALL THE CURB AND GUTTER, THE MINIMUM 8-FOOT-WIDE PLANTING STRIP AND THE MINIMUM 6-FOOT-WIDE SIDEWALK, THEN PETITIONER SHALL HAVE NO OBLIGATION TO INSTALL SUCH IMPROVEMENTS.

- 6. OPEN SPACE/GREEN AREA/PUBLICLY ACCESSIBLE POCKET PARK**
- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE OPEN SPACE AND GREEN AREA REQUIREMENTS OF THE ORDINANCE.
 - B. PETITIONER SHALL INSTALL AND MAINTAIN A PUBLICLY ACCESSIBLE POCKET PARK AT THE NORTHEASTERN CORNER OF THE ROUNDABOUT IN DEVELOPMENT AREA A IN THE GENERAL LOCATION DEPICTED ON THE REZONING PLAN (THE "POCKET PARK"). A PUBLIC ACCESS EASEMENT SHALL BE PROVIDED ON THE POCKET PARK SITE TO ALLOW THE PUBLIC TO UTILIZE THE POCKET PARK. THE POCKET PARK SHALL HAVE A MINIMUM SIZE OF 10,000 SQUARE FEET AND IT SHALL CONTAIN, AT A MINIMUM, THE FOLLOWING IMPROVEMENTS: HARDSCAPE, LANDSCAPING, SEATING ELEMENTS AND SHADE STRUCTURES.
 - C. IN ADDITION TO THE POCKET PARK, A MINIMUM OF SIX (6) USABLE COMMON OPEN SPACES AREAS SHALL BE PROVIDED ON THE SITE IN THE LOCATIONS GENERALLY DEPICTED ON THE REZONING PLAN. THE CONFIGURATIONS AND LOCATIONS OF THESE USABLE COMMON OPEN SPACE AREAS MAY BE ADJUSTED DURING THE PERMITTING PROCESS. DETAILS RELATING TO THE IMPROVEMENTS TO BE INSTALLED IN EACH USABLE COMMON OPEN SPACE AREA WILL BE INCLUDED DURING THE LAND DEVELOPMENT PROCESS. THE MINIMUM SIZE OF EACH USABLE COMMON OPEN SPACE AREA SHALL BE 2,500 SQUARE FEET.
 - D. AS NOTED ABOVE IN PARAGRAPH 1.E., THE DEVELOPMENT OF THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. ACCORDINGLY, THE TREE SAVE REQUIREMENTS OF THE ORDINANCE SHALL BE CALCULATED AND SATISFIED OVER THE ENTIRE SITE, RATHER THAN WITHIN EACH INDIVIDUAL DEVELOPMENT AREA. AS A RESULT, EACH INDIVIDUAL DEVELOPMENT AREA SHALL NOT BE REQUIRED TO MEET THE TREE SAVE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE PROVIDED THAT THE SITE AS A WHOLE MEETS SUCH TREE SAVE REQUIREMENTS.

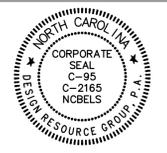
- 7. ENVIRONMENTAL FEATURES**
- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF ARTICLE 20 OF THE ORDINANCE.
 - B. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL 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.
 - C. DEVELOPMENT WITHIN ANY SWM/PCSR WQ BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL BY CHARLOTTE STORM WATER SERVICES.
 - D. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED UNIFIED DEVELOPMENT ORDINANCE, STORMWATER ARTICLES 23 THROUGH 28.

- 8. LANDSCAPE YARDS/SCREENING**
- A. A MINIMUM 75-FOOT-WIDE LANDSCAPE YARD MEETING THE STANDARDS OF A TYPE B LANDSCAPE YARD SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S WESTERN AND NORTHERN BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN. NOTWITHSTANDING THE FOREGOING, AT SUCH TIME AS EVER THAT THE FUTURE RIGHT OF WAY IS DEDICATED TO THE CITY OR A NEW PUBLIC STREET TO BE CONSTRUCTED BY OTHERS, THE PORTION OF THIS MINIMUM 75-FOOT-WIDE LANDSCAPE YARD IN WHICH THE FUTURE RIGHT OF WAY IS LOCATED SHALL BE ELIMINATED.
 - B. A MINIMUM 50-FOOT-WIDE LANDSCAPE YARD MEETING THE STANDARDS OF A TYPE B LANDSCAPE YARD WITH A MINIMUM 8 FOOT TALL WOOD SCREENING FENCE (OR THE MAXIMUM HEIGHT ALLOWED UNDER THE ORDINANCE IF THE MAXIMUM HEIGHT IS LESS THAN 8 FEET) SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S WESTERN BOUNDARY LINE THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
 - C. THE EXTERIOR 50 FEET OF THE LANDSCAPE YARDS DESCRIBED ABOVE IN PARAGRAPHS 8.A. AND 8.B. SHALL REMAIN UNDISTURBED EXCEPT FOR THE FOLLOWING PERMITTED ACTIVITIES:
 - (1) THE PLANTING OF SUPPLEMENTAL TREE AND SHRUBS.
 - (2) THE INSTALLATION OF THE WOOD SCREENING FENCE DESCRIBED ABOVE IN PARAGRAPH 8.B, WHICH FENCE MAY MEANDER TO SAVE EXISTING TREES.
 - (3) THE DEMOLITION OF THE EXISTING BUILT CONDITIONS, SUCH AS THE EXISTING DRIVES, HOMES AND CROSSINGS.
 - (4) THE CONSTRUCTION OF THE CONNECTOR ROAD STREAM CROSSING.

- D. PRIOR TO THE EARLIER TO OCCUR OF (I) THE CONNECTION OF THE CONNECTOR ROAD TO GALLOWAY ROAD OR (II) THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA E, PETITIONER SHALL CONSTRUCT AND INSTALL A MINIMUM 5 FOOT TALL MASONRY WALL WITH A BRICK VENEER FINISH GENERALLY ALONG THE NORTHERN PROPERTY LINES OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NOS. 029-023-13 AND 029-023-12 FROM THE WESTERN BOUNDARY LINE OF THE SITE TO THE WESTERN PROPERTY LINE OF TAX PARCEL NO. 029-023-12. PETITIONER'S OBLIGATION TO CONSTRUCT AND INSTALL THIS WALL SHALL BE SUBJECT TO (I) PETITIONER'S ABILITY TO OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO CONSTRUCT AND INSTALL THE WALL FROM THE RELEVANT GOVERNMENTAL AGENCIES, INCLUDING, WITHOUT LIMITATION, AN ENCRoACHMENT AGREEMENT FROM CDOT IF REQUIRED, AND (II) PETITIONER'S ABILITY TO OBTAIN ANY REQUIRED EASEMENTS FROM THE OWNERS OF TAX PARCEL NOS. 029-023-13 AND 029-023-12. THE EXACT LOCATION OF THE WALL SHALL BE DETERMINED DURING THE PERMITTING PROCESS.

- 9. CEMETERY/UNMARKED GRAVES**
- A. A PORTION OF AN EXISTING CEMETERY IS LOCATED ON THE SOUTHWESTERN CORNER OF THE SITE, AND THE BOUNDARIES OF THE CEMETERY ON THE SITE HAVE BEEN ESTABLISHED AND ARE DEPICTED ON THE REZONING PLAN (THE "CEMETERY"). THE CEMETERY SHALL BE PRESERVED ON THE SITE.
 - B. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES ON THE SITE, PETITIONER SHALL INSTALL A TEMPORARY CONSTRUCTION BARRIER AROUND THOSE PORTIONS OF THE PERIMETER OF THE CEMETERY THAT ARE LOCATED ON THE SITE TO ENSURE THAT THE CONSTRUCTION ACTIVITIES DO NOT ENCRoACH INTO THE CEMETERY. THE TEMPORARY CONSTRUCTION BARRIER SHALL REMAIN IN PLACE UNTIL SUCH TIME THAT THE PORTION OF THE CONNECTOR ROAD LOCATED ON DEVELOPMENT AREA A AND THE MULTI-FAMILY STACKED DWELLING UNIT BUILDING AND THE ASSOCIATED PARKING LOT LOCATED ON DEVELOPMENT AREA B ARE COMPLETED.
 - C. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING TO BE CONSTRUCTED ON THE SITE, PETITIONER SHALL DONATE THE SUM OF \$10,000 TO EITHER MALLARD CREEK PRESBYTERIAN CHURCH OR TO A NON-PROFIT ORGANIZATION THAT IS INVOLVED WITH THE PRESERVATION OF CEMETERIES. THE \$10,000 PAYMENT MAY BE USED BY THE RECEIVING ENTITY TO SECURE THE CEMETERY, MEMORIALIZE THE CEMETERY THROUGH SIGNAGE OR OTHER MEANS, PROVIDE EDUCATIONAL OPPORTUNITIES RELATING TO THE CEMETERY AND/OR OTHER MATTERS THAT WILL BENEFIT THE CEMETERY.

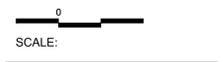
- 10. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, 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.
 - B. 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.



REZONING PETITION
FOR PUBLIC HEARING
2024-090
REZONING PETITION

**CHARTER - WEST MALLARD
CREEK CHURCH RD SITE**
CHARLOTTE, NORTH CAROLINA
CHARTER PROPERTIES
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203

TECHNICAL DATA
SHEET



PROJECT #:	638-100
DRAWN BY:	NB
CHECKED BY:	NB

JULY 15, 2024

REVISIONS:

1.	10.13.25 - PER SITE UPDATES
2.	12.18.25 - PER SITE UPDATES
3.	01.09.26 - PER SITE UPDATES
4.	01.15.26 - PER SITE UPDATES
5.	01.19.26 - PER SITE UPDATES