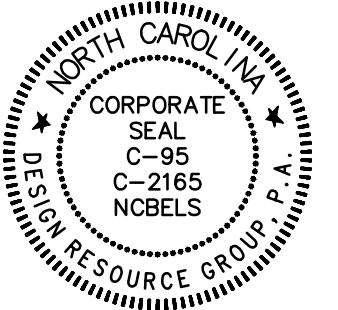


- SITE DATA**
- SITE AREA: +/- 3.058 AC (+/- 133,206 SF)
- TAX MAP NO: 08304417, 08304416, 08304415, 08304410, 08304409, 08304408
- EXISTING ZONING: I-2
- EXISTING USES: COMMERCIAL/RESIDENTIAL/VACANT
- PROPOSED ZONING: TOD-M(O)
- PROPOSED USES: THE SITE MAY BE DEVELOPED WITH RESIDENTIAL AND NON-RESIDENTIAL USE TOGETHER WITH ACCESSORY USES AS ALLOWED, IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
- MAXIMUM AMOUNT OF DEVELOPMENT: AS PERMITTED AND ALLOWED BY THE TOD-M ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: A MAXIMUM BUILDING HEIGHT OF FIVE (5) STORIES AND UP TO 75 FEET. BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY THE ORDINANCE.
- PARKING REQUIRED: PARKING AS REQUIRED BY THE ORDINANCE
- 1. GENERAL PROVISIONS:**
- a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MV RESIDENTIAL DEVELOPMENT, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF TRANSIT SUPPORTIVE USES ON AN APPROXIMATELY 3.058 ACRE SITE LOCATED ON THE NORTHEAST QUADRANT OF THE INTERSECTION OF E. 21ST STREET AND N. DAVIDSON STREET (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 TOD-M ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS 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 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.** NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE MAY VARY AS ALLOWED BY TOD-M ZONING DISTRICT. 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(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.
- 2. OPTIONAL PROVISIONS.**
- a. TO ALLOW A MAXIMUM BUILDING HEIGHT OF 75 FEET.
- 3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:**
- a. THE SITE MAY BE DEVELOPED WITH RESIDENTIAL AND NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE TOD-M ZONING DISTRICT.
- 4. ACCESS AND RIGHT-OF-WAY DEDICATION:**
- a. VEHICULAR ACCESS TO THE SITE WILL BE FROM E. 21ST STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE LOCATION OF THE DRIVEWAY MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.
- c. THE REQUIRED TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE SITE'S FINAL CERTIFICATE OF OCCUPANCY. IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE 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.
- 5. STREETScape, LANDSCAPING OPEN SPACE AND SCREENING:**
- a. ALONG N. DAVIDSON STREET, E. 21ST STREET AND E. 22ND STREET A MINIMUM OF A 16 FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB WITH AN 8 FOOT SIDEWALK AND 8 FOOT PLANTING STRIP WILL BE PROVIDED.
- b. ON STREET PARKING AND A 5 FOOT BIKE LANE WILL BE PROVIDED ON N. DAVIDSON STREET.
- c. THE OPEN SPACE AND COURT YARD AREAS ON THE SITE WILL BE IMPROVED WITH LANDSCAPING, LIGHTING, SEATING AND HARDSCAPE ELEMENTS.
- d. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.
- 6. ARCHITECTURAL STANDARDS.**
- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF SOME OF THE FOLLOWING: BRICK, STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTATION SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE METAL PANELS, DECORATIVE BLOCK AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS
- b. THE GROUND FLOOR RESIDENTIAL UNITS FACING E. 21ST AND E. 22ND STREETS WILL HAVE BUILDING ENTRANCES WITH DIRECT ACCESS TO THESE PUBLIC STREETS.
- c. THE GROUND FLOOR SHALL BE TALLER THAN AND ARCHITECTURALLY DIFFERENT THAN UPPER FLOORS WITH MORE TRANSPARENCY THAN UPPER FLOORS, THIS STANDARD WILL ONLY APPLY TO BUILDING WALLS LOCATED ALONG N. DAVIDSON STREET.
- d. IN ADDITION TO THE BLANK WALL PROVISIONS OF THE TOD-M ZONING DISTRICT BLANK WALLS SHALL BE TREATED WITH BOTH HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES.
- e. IF GROUND FLOOR RESIDENTIAL UNITS PRIMARILY FACING 21st STREET, 22nd STREET, AND NORTH DAVIDSON STREET ARE DESIGNED WITH BALCONIES/PATIOS, THESE UNITS SHALL ALSO PROVIDE DIRECT ACCESS TO THE ADJOINING PUBLIC STREET.
- 7. ENVIRONMENTAL FEATURES:**
- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
- 8. LIGHTING:**
- a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE INSTALLED FIXTURES EXCLUDING; LOW LANDSCAPE, DECORATIVE, SPECIALTY, AND ACCENT LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, OPEN SPACE/AMENITY AREAS, AND PARKING AREAS.
- b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 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 APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

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REZONING PETITION
FOR PUBLIC HEARING:
2016-XXX

REZONING DOCUMENTS

MV OPTIMIST PARK
OPTIMIST PARK NEIGHBORHOOD, CHARLOTTE, NC

MV RESIDENTIAL DEVELOPMENT, LLC
9349 WATERSTONE BLVD, SUITE 200
CINCINNATI, OH 45249
980-613-8109

**SCHEMATIC
SITE PLAN**

15 0 15 30
SCALE: 1" = 30'

PROJECT #: 522-002
DRAWN BY: SK
CHECKED BY: TH

SEPTEMBER 23, 2016

REVISIONS:

RZ1.00

