

## DEVELOPMENT STANDARDS

### A. PERMITTED USES AND MAXIMUM DEVELOPMENT

1. THE SITE MAY BE DEVELOPED WITH UP TO 39 SINGLE-FAMILY LOTS/HOMES, ALONG WITH ANY AMENITY AREA AND ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPAL USE AS ALLOWED IN THE MX-1.

2. THE SITE MAY BE DEVELOPED IN PHASES.

### B. MX-1 INNOVATIVE PROVISIONS

1. THE PETITIONER IS PROPOSING THE FOLLOWING INNOVATIVE PROVISIONS AS ALLOWED PER SECTION 12.208 OF THE CITY OF CHARLOTTE ZONING REGULATIONS:

(a) THE ABILITY TO HAVE PRIVATE STREETS ON THE INTERIOR OF THE SITE BUILT TO PUBLIC STREET STANDARDS.

(b) TO ALLOW SINGLE-FAMILY HOMES TO HAVE FRONTAGE ON PRIVATE STREETS.

(c) TO ALLOW THE CONSTRUCTION OF GATES AT THE ENTRANCE TO THE SUBDIVISION AS SHOWN ON THE REZONING TECHNICAL DATA SHEET.

BOTH VEHICULAR AND PEDESTRIAN GATES WILL BE INSTALLED AT EACH OF THE ACCESS POINTS INTO BELLMORE HALL. THE PEDESTRIAN GATES WILL NOT BE LOCKED AND WILL BE INSTALLED WITHOUT LOCKING MECHANISMS. A CONDITION WILL BE ADDED TO THE BELLMORE HALL HOME OWNERS DOCUMENTS PROHIBITING THE INSTALLATION OF LOCKS ON THE PEDESTRIAN GATES OR FOR THE PEDESTRIAN GATES FROM BEING LOCKED IN THE FUTURE.

2. REQUEST FOR FURTHER INNOVATIVE CHANGES AFTER THE INITIAL APPROVAL OF THIS CONDITIONAL PLAN WILL BE LIMITED TO CHANGES THAT DO NOT INCREASE THE NUMBER OF UNITS OR LOTS OR REDUCE ANY OF THE EXTERNAL OR REAR YARDS BEYOND WHAT IS ALLOWED BY THE CITY OF CHARLOTTE ZONING REGULATIONS FOR BY RIGHT SINGLE-FAMILY SUBDIVISIONS (I.E. SECTION 12.106).

### C. GENERAL PROVISIONS

1. UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE MX-1 (INNOVATIVE) ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE.

2. THE ULTIMATE LAYOUT OF THE DEVELOPMENT PROPOSED FOR THE SITE AND THE PARCELS OR LOTS FORMING PARTS THEREOF, THE PRECISE LOCATIONS OF BUILDINGS AND OTHER INDIVIDUAL SITE ELEMENTS TO BE CONSTRUCTED ON THE SITE HAVE NOT BEEN FINALIZED. AS A CONSEQUENCE, THE ELEMENTS TO BE CONSTRUCTED ON THE SITE ARE SCHEMATIC IN NATURE AND ARE GRAPHIC REPRESENTATIONS OF THE QUALITY OF DEVELOPMENT PROPOSED AND THE GENERAL LOCATIONS OF THE PROPOSED LOTS ON THE SITE. THEY MAY, THEREFORE, BE ALTERED OR MODIFIED DURING THE CONSTRUCTION DOCUMENT PHASES SUBJECT TO THE ACCOMPANYING DEVELOPMENT STANDARDS AND SECTION 6.207 OF THE ORDINANCE.

### D. SETBACKS, SIDE YARDS AND REAR YARDS

1. BUILDING SETBACKS AND YARDS WILL BE ESTABLISHED AS SPECIFIED IN THE SITE DATA TABLE AND IN THE MANNER DEPICTED ON THE REZONING TECHNICAL DATA SHEET.

### E. LANDSCAPING AND SCREENING

1. INTERIOR LANDSCAPING AND SCREENING SHALL MEET OR EXCEED THE STANDARDS IN THE ORDINANCE.

2. STREET TREES AND OTHER LANDSCAPING WILL BE INSTALLED PER THE PREVIOUSLY APPROVED LANDSCAPE PLAN.

3. WITHIN THE COMMON OPEN SPACE ALONG WINDYRUSH THE PETITIONER WILL CONSTRUCT A DECORATIVE BRICK WALL WITH AN AVERAGE HEIGHT OF SIX (6) FEET. THE COLUMNS AND/OR CAPITALS OF THE WALL MAY EXTEND UP TO TWO FEET ABOVE THE AVERAGE HEIGHT OF THE FENCE, SHRUBS AND TREES THAT MEET AND EXCEED THE REQUIREMENTS OF SECTION 12.308 OF THE ORDINANCE WILL BE INSTALLED BETWEEN THE WALL AND THE RIGHT-OF-WAY OF WINDYRUSH ROAD.

4. ABOVE GROUND BACKFLOW PREVENTERS ARE NOT ALLOWED IN THE SETBACK.

### F. TREE ORDINANCE

1. THE SITE SHALL CONFORM TO THE CITY OF CHARLOTTE TREE ORDINANCE.

### G. STREETScape TREATMENT, LIGHTING, SIDEWALKS AND UTILITIES

1. ALONG THE SITES FRONTAGE ON WINDYRUSH ROAD THE PETITIONER SHALL INSTALL A FOUR FOOT PLANTING STRIP AND A FOUR FOOT SIDEWALK.

2. IN ADDITION, ALONG THE SITES WINDYRUSH ROAD FRONTAGE THE FOLLOWING IMPROVEMENTS, PREVIOUSLY REQUIRED AS PART OF THE SUBDIVISION APPROVAL FOR THE SITE, WILL ALSO BE MADE:

(a) WINDYRUSH ROAD WILL BE WIDENED TO FIFTEEN FEET FROM THE EXISTING CENTERLINE.

(b) TWO FOOT VALLEY CURB AND GUTTER WITH A STORM WATER SYSTEM WILL BE CONSTRUCTED.

### H. TREE SAVE AREAS

1. PROPOSED TREE SAVE AREAS HAVE BEEN INDICATED ON THE REZONING TECHNICAL DATA SHEET. EXISTING VEGETATION WITHIN THE IDENTIFIED TREE SAVE AREAS WILL BE PRESERVED AND PROTECTED DURING CONSTRUCTION, EXCEPT AS OTHERWISE REFERENCED IN THESE DEVELOPMENT STANDARDS.

### I. LIGHTING

1. THE PETITIONER SHALL PROVIDE PEDESTRIAN SCALE DECORATIVE LIGHTING ALONG THE INTERIOR PRIVATE STREETS AND ALONG THE SITES FRONTAGE ON WINDYRUSH ROAD. SUCH LIGHTING SHALL BE PROVIDED IN CONJUNCTION WITH APPLICABLE UTILITY COMPANY REGULATIONS AND REQUIREMENTS FOR SUCH LIGHTING. THE MAXIMUM HEIGHT OF THE PEDESTRIAN LIGHTING SHALL BE 12'.

### J. SIGNS

1. ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

### K. WETLANDS

1. ANY JURISDICTIONAL WETLANDS OR STREAMS, IF PRESENT, SHALL BE PROTECTED OR PROPER ENVIRONMENTAL PERMITS OBTAINED PRIOR TO THEIR DISTURBANCE.

### L. SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) STREAM BUFFER

1. SWIM STREAM BUFFER REQUIREMENTS APPLY AS DESCRIBED IN SECTION 12.801 OF THE CITY OF CHARLOTTE ZONING REGULATIONS.

### M. ACCESS POINTS

1. TWO VEHICULAR ACCESS POINTS FROM WINDYRUSH ROAD INTO THE SITE WILL BE ALLOWED. THE VEHICULAR ACCESS POINTS TO THE SITE SHALL BE LOCATED IN THE GENERAL AREA DEPICTED ON THE REZONING TECHNICAL DATA SHEET. THE CONFIGURATION AND ULTIMATE LOCATION OF THESE ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.

### N. PARKING

1. OFF-STREET PARKING WILL SATISFY THE STANDARDS ESTABLISHED UNDER THE ORDINANCE FOR SINGLE-FAMILY HOMES.

### O. AMENDMENTS TO THE REZONING PLAN

1. 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.

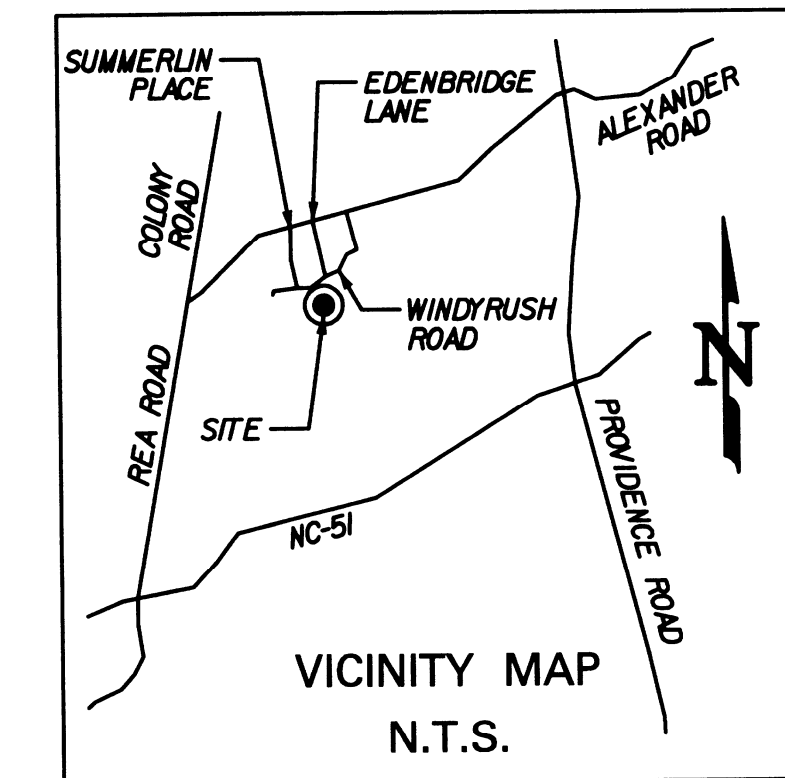
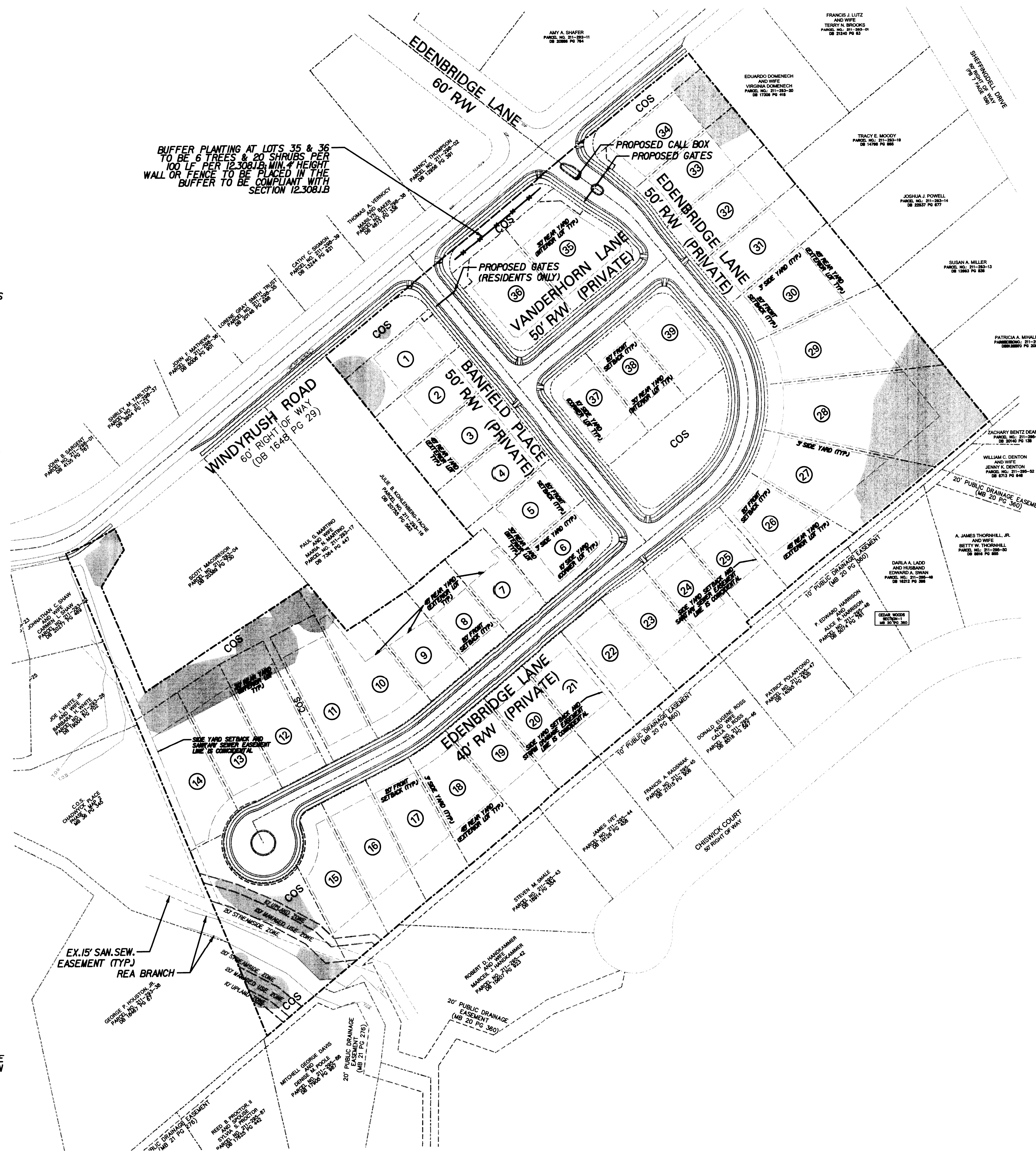
### P. BINDING EFFECT OF THE REZONING

1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO 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 THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

# BELLMORE HALL

## CITY OF CHARLOTTE

## MECKLENBURG COUNTY, NORTH CAROLINA



DEVELOPER: KILLIAN SIMONINI LLC  
CONTACT: JEFF DEVINE  
PHONE: (704) 558-3080  
1910 SOUTH BOULEVARD  
SUITE 200  
CHARLOTTE, NC 28203

ENGINEER: INSITE ENGINEERING & SURVEYING  
8041 CORPORATE CENTER DRIVE  
SUITE 200  
CHARLOTTE, NC 28226  
704-540-4706

### SITE DATA

JURISDICTION: CITY OF CHARLOTTE

TOTAL SITE AREA: 13.18 AC

EXISTING ZONING: R3 (INTERIOR LOT CRITERIA PER R3 CLUSTER PROVISION)

PROPOSED ZONING: MX-1 (INNOVATIVE)

WATERSHED OVERLAY DISTRICT: NONE

DENSITY PERMITTED: 13.18 \* 3 = 39

PROP. NUMBER OF LOTS: 39

COMMON OPEN SPACE REQ'D: 10% (1.32 AC)

COMMON OPEN SPACE PROV'D: 11.2% (1.47 AC)

TREESAVE REQUIRED: 10% NET AREA (1.29 AC)

TREESAVE PROVIDED: 10.2% NET AREA (1.32 AC)

### MX-1 LOT CRITERIA (INTERNAL AND EXTERNAL LOTS)

MIN. FRONT SETBACK: 20' (DUE TO SWIM BUFFER ON SITE)

MIN. SIDE YARD: 3' INTERNAL; 8' EXTERNAL (DUE TO SWIM BUFFER ON SITE)

MIN. SIDE YARD - CORNER LOT: 10'

MIN. REAR YARD: 30' INTERNAL; 45' EXTERNAL

MIN. LOT SIZE: 8,000 SF

MIN. LOT WIDTH: 60'

MAX. BUILDING COVERAGE PER LOT:

6,501-8,500 SF LOT = 40%

8,501-15,000 SF LOT = 35%

15,001 OR GREATER = 30%

TREE SAVE AREA

### GENERAL NOTES

1. ALL ROAD IMPROVEMENTS AT WINDYRUSH ROAD ARE TO BE COORDINATED WITH THE CITY OF CHARLOTTE ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.

2. DEVELOPER WILL PROVIDE STREET SIGNS PER CLDSM \*50.05 (9 SIGNS ONLY).

3. SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED.

4. CURB & GUTTER SHOWN ON PLANS ALONG WINDYRUSH ROAD MAY BE ADJUSTED BASED UPON FIELD STAKING BY CITY ENGINEERING. ASSOCIATED STORM DRAINAGE MAY ALSO REQUIRE MODIFICATION BASED UPON FIELD CONDITIONS.

5. THE DEVELOPER SHALL MAINTAIN EACH STREAM, CREEK OR BACKWASH CHANNEL IN AN UNOBSTRUCTED STATE AND SHALL REMOVE FROM THE CHANNEL AND BANKS OF THE STREAM ALL DEBRIS, LOGS, TIMBER, JUNK, AND OTHER ACCUMULATIONS.

6. NON-STANDARD ITEMS (I.E. PAVERS, IRRIGATION SYSTEMS, ETC.) IN THE RIGHT-OF-WAY REQUIRE A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH THE CHARLOTTE DEPT. OF TRANSPORTATION OR NORTH CAROLINA DEPT. OF TRANSPORTATION BEFORE INSTALLATION.

0 40 80 160  
GRAPHIC SCALE  
SCALE: 1" = 80'

09-21

DATE:	12-18-2008
TECHNICIAN:	DNE
CHECKED BY:	ARE
SCALE:	1" = 80'
PROJECT NO.:	04401
DRAWING TITLE:	overall site plan
SHEET NO.:	1 of 1

NO.	DATE	REVISIONS	REMARKS
1	12-18-2008	REVISED PER COMMENTS	
2	03-18-2009	REVISED PER COMMENTS	
3			
4			
5			
6			
7			

CLIENT  
**BELLMORE HALL**  
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REZONING TECHNICAL DATA SHEET

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