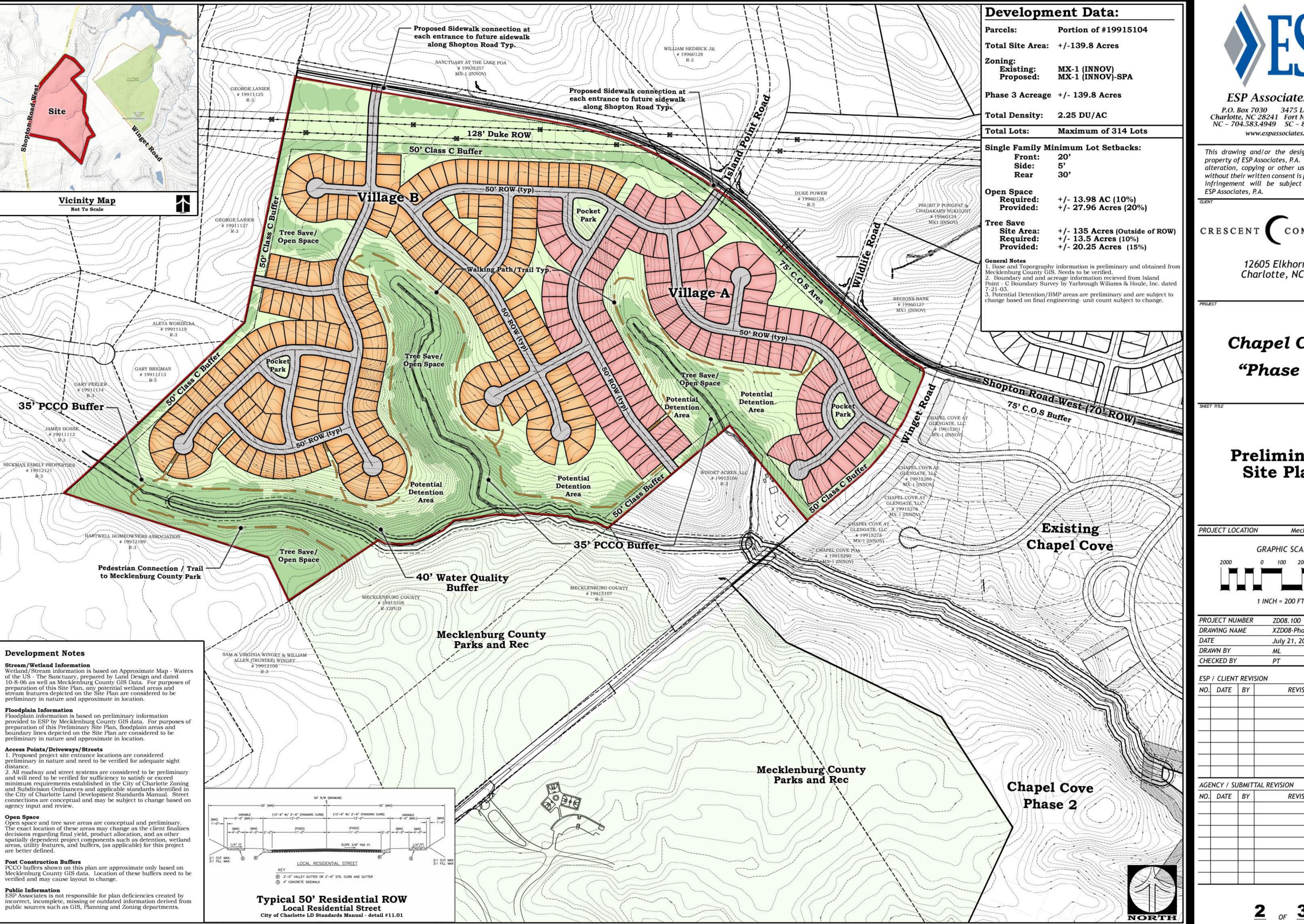


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12605 Elkhorn Drive Charlotte, NC 28278

Chapel Cove "Phase 3"

# Preliminary Site Plan

Mecklenburg County, NO **GRAPHIC SCALE** 

| PROJECT NUMBER | ZD08.100                   |
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| DRAWING NAME   | XZD08-Phase 3 Rezoning.psd |
| DATE           | July 21, 2011              |
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#### DEVELOPMENT STANDARS

#### **General Provisions**

- 1. The Site is comprised of that approximately 180.11 acre parcel of land designated as Chapel Cove "Parcel B" on Sheet 1 of the Rezoning Plan and more particularly depicted thereon (hereinafter referred to as "Parcel B"), and that approximately 139.8 acre parcel of land designated as Chapel Cove "Phase 3" on Sheet 2 of the Rezoning Plan and more particularly depicted thereon (hereinafter referred to as "Phase 3").
- 2. 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 zoning district, subject to the use of innovative development standards, shall be followed in connection with development taking place on those portions of Parcel B zoned MX-1.
- 3. Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the Ordinance for the Neighborhood Services ("NS") zoning district shall be followed in connection with development taking place on that approximately 8 acre portion of Parcel B designated on Sheet 1 of the Rezoning Plan and more particularly depicted thereon.
- 4. Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the Ordinance for the MX-1 zoning district, subject to the use of innovative development standards, shall be followed in connection with development taking place on Phase 3.
- 5. The development depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of individual site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building and lot locations.
- 6. 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 Chapter 6 of the Ordinance.

#### Permitted Uses/Maximum Density

#### Parcel B

## 1. Village A

(A) That portion of Parcel B designated as Village A and zoned MX-1 may be devoted to for sale single family detached dwelling units constructed on lots having a minimum width of 50 feet, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district. Notwithstanding the foregoing, the minimum lot width shall be 40 feet for lots served by an alley.

(B) That portion of Parcel B designated as Village A and zoned NS may be devoted to for sale single family detached dwelling units constructed on lots having a minimum width of 50 feet, and to any incidental or accessory use in connection therewith which is permitted in the NS zoning district. Notwithstanding the foregoing, the minimum lot width shall be 40 feet for lots served by an alley.

### 2. Village B

That portion of Parcel B designated as Village B may be devoted to for sale single family detached dwelling units constructed on lots having a minimum width of 50 feet, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district. Notwithstanding the foregoing, the minimum lot width shall be 40 feet for lots served by an alley.

## 3. Townhome Village

That portion of Parcel B designated as the Townhome Village may be devoted to a maximum of 100 for sale single family attached dwelling units and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district. Notwithstanding the foregoing, the Petitioner reserves the right to construct within the Townhome Village a maximum of 100 for sale single family detached dwelling units on lots having a minimum width of 50 feet in lieu of for sale single family attached dwelling units. The minimum lot width may be reduced to 40 feet for lots served by an alley.

4. Maximum Residential Density in Parcel B

A maximum of 407 dwelling units shall be permitted within Parcel B.

#### Convenience Size Retail Center

Notwithstanding the foregoing, in lieu of devoting that portion of Parcel B designated as Village A and zoned NS to for sale single family detached dwelling units, this portion of Village A may be devoted to a convenience size retail center containing a maximum of 70,000 square feet of gross floor area. "Gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building, and any accessory buildings or structures on the site, measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude mezzanine space, any surface parking facilities or related access areas and areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), and provided further, that areas devoted to outdoor dining shall not be included in the calculation of gross floor area.

The convenience size retail center may contain the following uses and any accessory uses allowed in the NS zoning district:

- (i) Art galleries;
- ii) Bakeries, retail;
- (iii) Barber and beauty shops; (iv) Clinics, medical, dental and optical;
- v) Clinics, veterinary;
- (vi) Dry cleaning and laundry establishments;
- Equipment rental and leasing within an enclosed
- building;
- (viii) Financial institutions;
- (ix) Florists, retail;
- (x) Indoor recreation;
- (xi) Jewelers, retail;
- Laboratories, dental, medical and optical;
- Neighborhood food and beverage;
- (xiv) Offices;
- (xv) Post offices:
- (xvi) Restaurants; and
- Retail establishments, shopping centers, and business, personal and recreation services.

Restaurants with drive-through windows and gas stations shall not be permitted.

#### Phase 3

#### 1. Village A

That portion of Phase 3 designated as Village A may be devoted to for sale single family detached dwelling units constructed on lots having a minimum width of 50 feet, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district. Notwithstanding the foregoing, the minimum lot width shall be 40 feet for lots served by an alley.

# 2. Village B

That portion of Phase 3 designated as Village B may be devoted to for sale single family detached dwelling units constructed on lots having a minimum width of 50 feet, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district. Notwithstanding the foregoing, the minimum lot width shall be 40 feet for lots served by an alley.

3. Maximum Residential Density in Phase 3

A maximum of 314 dwelling units shall be permitted within Parcel B. Transportation

- 1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point 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 ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- 2. Off street vehicular parking for the residential uses located on the Site will meet the minimum requirements of the Ordinance.
- 3. Off street vehicular parking for the convenience size retail center will meet the minimum requirements of the NS zoning district.
- 4. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- 5. The Petitioner shall not be required to construct and/or install any road improvements to or on Withers Cove Road, Treymore Road or Hatfield Road as a result of the development of the Site.

#### Streetscape and Landscaping

- 1. The sidewalk located along the Site's frontage on Shopton Road West may meander in and out of the right of way provided that a sidewalk easement is provided as required.
- 2. Screening shall meet the standards and requirements specified in Section 12.303 of the Ordinance.
- 3. Landscaping shall meet the requirements of the Ordinance.
- 4. Any dumpsters located within the Site that are visible from a public street or from an adjoining parcel of land at grade will be screened by a solid enclosure with gates.
- 5. Buffers shall be provided throughout the Site as depicted on the Rezoning Plan. Existing vegetation located within any buffers shall be counted towards the tree and shrub requirements.
- 6. A Class B buffer shall be provided between the convenience size retail center and the abutting residential
- 7. Internal buffers shall not be required between any attached and detached dwelling units constructed within the Site.
- 8. In the event that for sale single family attached dwelling units are constructed within the Townhome Village located within Parcel B, then a 100 foot restricted zone shall be established in addition to the 100 foot buffer. The Petitioner shall be permitted to construct a community gathering area or building within this 100 foot restricted zone.

#### **Environmental Features**

- 1. Development of the Site shall comply with the City of Charlotte Tree Ordinance.
- 2. Tree save areas shall be provided on the Site as generally depicted on the Rezoning Plan. A minimum of 15 percent of Parcel B shall be devoted to tree save areas, and a minimum of 15 percent of Phase 3 shall be devoted to trees save areas.
- 3. Development of the Site shall comply with the requirements of the City of Charlotte Post Construction Controls Ordinance.

# Common Open Space/Amenity Center

- 1. Common open space shall be provided throughout the Site as generally depicted on the Rezoning Plan. A minimum of 25 percent of Parcel B shall be devoted to common open space, and a minimum of 20 percent of Phase 3 shall be devoted to common open space.
- 2. Walking paths and trails shall be installed in portions of the common open space as generally depicted on the Rezoning Plan. The walking paths and trails may be constructed of either a hard surface or a soft surface.
- 3. The locations of the walking paths and trails as depicted on the Rezoning Plan are general in nature and express the intent of the Petitioner to create a path and trail system within the Site. However, the final locations and layout of the walking paths and trails are subject to change and shall ultimately be determined by the Petitioner in its discretion.
- 4. The Petitioner may install, at its option, an amenity center within Parcel B and Phase 3 that could include a gathering area, a swimming pool, a playground, an activity lawn and parking facilities.

# Signs

All signs installed on the Site shall comply with the requirements of the Ordinance.

#### Binding Effect of the Rezoning Documents and Definitions

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 Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

- 2. 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 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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12605 Elkhorn Drive Charlotte, North Carolina 28278

Chapel Cove Phase 3 Parcel B

# Technical **Data Sheet**

PROJECT LOCATION Mecklenburg County, NO

PROJECT NUMBER ZD08.100 DRAWING NAME ZD08-Technical Data Sheet.psc July 21, 2011 DRAWN BY CHECKED BY PT

REVISION

ESP / CLIENT REVISION NO. DATE BY

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