

# Aspen Heights

Charlotte, NC

**RECEIVED**

By Michael Cataldo at 11:48 am, May 18, 2012



### List of Adjacent Property Owners:

- |  |  |
|--|--|
| <p>1. KENNETH C. &amp; YVONNE R. BURROWS<br/>PIN# 04936121<br/>9136 JOYCE KILMER DRIVE<br/>CHARLOTTE, NC 28213</p> <p>2. DARIUS C. CLARK<br/>PIN# 04936106<br/>1826 BONNIE LANE<br/>CHARLOTTE, NC 28213</p> <p>3. WAYNE A. CHASEN<br/>PIN# 04936106<br/>6600 WEST BROAD STREET, #100<br/>RICHMOND, VA 23230</p> <p>4. COLONIAL PROPERTIES, LLC<br/>PIN# 04941102<br/>2101 6TH AV NORTH, SUITE 750<br/>BIRMINGHAM, AL 35203</p> <p>5. CLAUDE L. &amp; RITA A. DRYE<br/>PIN# 04936110<br/>9204 ROBERT BURNS CT.<br/>CHARLOTTE, NC 28213</p> <p>6. ELMEAR GOGGIN<br/>PIN# 04936112<br/>9205 ROBERT BURNS CT.<br/>CHARLOTTE, NC 28213</p> <p>7. VINCENT A. HARRELSON<br/>PIN# 04936123<br/>PO BOX 488<br/>NEWELL, NC 28126</p> <p>8. HEATHER RIDGE CODOMINIUMS, LLC<br/>PIN# 04941237<br/>1516 S THIRD ST #A<br/>WILMINGTON, NC 28403</p> <p>9. VAN JOHNSON JR.<br/>PIN# 04936120<br/>8310 UNIVERSITY EXECUTIVE PK<br/>SUITE 580<br/>CHARLOTTE, NC 28262</p> | <p>11. NARAN M. &amp; KOKHANI LAKHANI<br/>PIN# 04936105<br/>1900 BONNIE LN<br/>CHARLOTTE, NC 28213</p> <p>12. JANICE E. MILLER<br/>PIN# 04936122<br/>9128 JOYCE KILMER DR<br/>CHARLOTTE, NC 28213</p> <p>13. VICTOR L. POLLAK<br/>PIN# 04936124<br/>9100 JOYCE KILMER DR<br/>CHARLOTTE, NC 28213</p> <p>14. MICHAEL P. &amp; SHIRLEY S. PRATT<br/>PIN# 04936119<br/>9200 JOYCE KILMER DR<br/>CHARLOTTE, NC 28213</p> <p>15. CHARLES EDWARD TATE<br/>PIN# 04936104<br/>1906 BONNIE LN<br/>CHARLOTTE, NC 28213</p> <p>16. TRIPLE E ASSOCIATES<br/>PIN# 04941103<br/>8206-1200 PROVIDENCE RD, PMB #332<br/>CHARLOTTE, NC 28277</p> <p>17. THOMAS W. WARD JR.<br/>PIN# 04936111<br/>9200 ROBERT BURNS CT<br/>CHARLOTTE, NC 28213</p> |
|--|--|

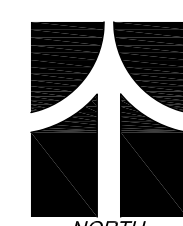
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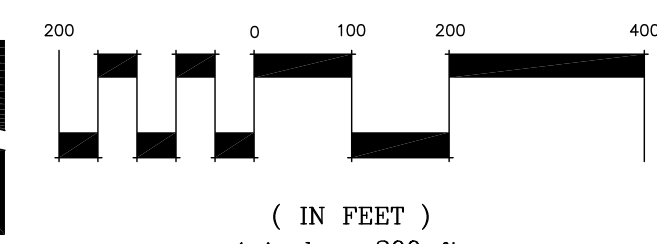
Prepared: March 26, 2012



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ESP Job: AM33.100



GRAPHIC SCALE



1301 S. Capital of Texas Hwy.  
SUITE B-201  
Austin, TX 78746

Date	Revision
03.26.12	Initial Submittal to CMPC
05.18.12	2nd Submittal- Revisions per staff comments

**Petition 2012-057  
"For Public Hearing"**

**Sheet RZ.1**



**DEVELOPMENT STANDARDS**

**General Provisions**

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Aspen Heights, to rezone an approximately 22.27 acre site located at the northwestern quadrant of W. T. Harris Boulevard and Old Concord Road (the "Site").

The purpose of this Petition is to request rezoning of the site to the MX-2 (Innovative) Zoning District to accommodate the construction of up to 150 Multiple Rooming Unit Cottages on property that is currently zoned to accommodate up to 317 condominium units.

Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 Zoning District shall govern all development taking place on the Site, subject to the innovative development standards set out below.

The development depicted on the Schematic Site Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configurations, placements and sizes of individual Site elements may be altered or modified so long as the maximum building envelope lines and intensity limitations established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the MX-2 Zoning District. (Specifically, although the Schematic Site Plan shows possible arrangements of attached and detached Multiple Rooming Unit Cottages, the Petitioner reserves the right to alter the arrangement and mix of attached and detached units. However, any alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or its respective conditions as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

**1. Permitted Uses**

The Site may be devoted to the following attached and detached residential uses: multiple rooming unit cottages along with accessory uses which are permitted under the Ordinance.

**2. Innovative Development Standards**

Pursuant to Section 11.208 of the Ordinance, the Petitioner seeks to obtain the approval of the use of the following Innovative Development Standards concurrently with the approval of this Rezoning Petition:

Min. Setback Along W. T. Harris Blvd:	25 feet
Min. Setback Along Internal Private Streets:	10 feet from back of curb
Min. Internal Rear Yards:	5 feet from back of curb
Min. Side Yard:	5 feet
Min. Rear Yard:	5 feet from back of curb
Min. Spacing Between Cottages:	12 feet

Cottages will be permitted to front common open space, tree save areas, amenity areas, pools, clubhouses, parking areas and water quality features

53 foot private street section with on-street parking on one side as depicted on the Technical Data Sheet

Access to parking areas will be gated as generally depicted on the Technical Data Sheet

**3. Transportation**

Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet.

Access to parking areas will be gated as generally depicted on the Technical Data Sheet. The placements and configurations of vehicular access points 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"), including alterations to accommodate any right of way needs and/or construction easements.

**4. Architectural Standards**

(a) Attached hereto are Conceptual Schematic Architectural Renderings of the front elevations of the multiple rooming unit cottages proposed to be constructed on the Site. These renderings are intended to depict the general conceptual architectural style, character and elements of these buildings. Accordingly, any building constructed on the Site must be substantially similar in appearance to the relevant attached Conceptual Schematic Architectural Renderings in terms of its architectural style, character and elements. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.

(b) The primary exterior building materials for the multiple rooming unit cottages to be constructed on the Site shall be a combination of shake, hardi-plank, or cementitious siding material. Vinyl siding shall not be permitted as an exterior building material. However, vinyl elements may be used as architectural accent materials.

(c) At least 35% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of masonry materials, including but not limited to stone, synthetic stone, brick, precast concrete, or cementitious siding material.

**5. Streetscape and Landscaping**

(a) Internal areas of the Site will be landscaped in accordance with the requirements of the Ordinance.

(b) The proposed 53 foot private street will be designed and built to meet the USDG cross-section for a Local Residential Street - Medium.

(c) The streetscape treatment along the proposed 53 foot private street will include large maturing trees, sidewalks at least 5 feet in width and planting strips at least 8 feet in width.

(d) Sidewalk access to each unit will be provided as illustrated on the proposed Sidewalk/Unit Access Detail.

(e) Meter boxes and back flow preventors will be screened.

(f) All other screening and landscaping shall conform to the standards of the Ordinance.

(g) Petitioner shall provide landscaping along portions of the Site's eastern and western property boundaries between proposed Multiple Rooming Unit Cottages and the property boundary as generally depicted on the Technical Data Sheet. In these areas, evergreen shrubs shall be planted as least 2 to 2½ tall with a minimum spread of 2 feet spaced no further than 5 feet when planted. Plants must be of a variety and adequately maintained so that an average height of 5 to 6 feet could be expected as normal growth within four years of planting.

(h) Units adjacent to the proposed 53-foot private street shall be oriented so that their front elevations face the proposed street.

(i) Units adjacent to the Site's eastern and western property boundaries shall be oriented so that their front elevations face the interior of the Site.

(j) Units adjacent to Harris Boulevard shall be oriented so that their front elevations face Harris Boulevard.

**6. Environmental Features**

(a) The Site shall comply with the requirements of the PCCO. 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 submitted 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.

(b) Wetlands delineation will be provided upon submission of construction drawings for vertical development on the Site.

**7. Parks, Greenways and Open Space**

Petitioner shall dedicate an 80 foot-wide strip of land within the stream buffer along the northern property boundary of the Site, extending from the Site's eastern property boundary with Mecklenburg County Tax Parcel 049-41-204 and running in a westerly direction along the Site's northern boundary to the Site's western property boundary with Mecklenburg County Tax Parcel 049-41-C97, to Mecklenburg County Parks and Recreation Department for the County's future use as a greenway. Dedication will occur via final plat and shall occur prior to the issuance of a final Certificate of Occupancy for buildings on the Site. Dedication is subject to any encumbrances and easements related to the Duke Energy right-of-way and Petitioner gives no assurances with regard to the County's ability to construct a greenway trail within the Duke. Petitioner shall be under no obligation to fund, construct, maintain or otherwise manage any portion of the proposed greenway. The area to be dedicated shall be considered part of the Site for calculations regarding density, open space and tree save and other ordinance requirements.

**8. Signage**

Signage shall comply with the requirements of the Ordinance.

**9. Lighting**

(a) The maximum height of any detached lighting fixtures erected on the Site shall not exceed twenty five (25) feet in height.

(b) All freestanding lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed.

(c) Wall-pak lighting will be prohibited throughout the Site.

**10. Amendments to Rezoning Plan**

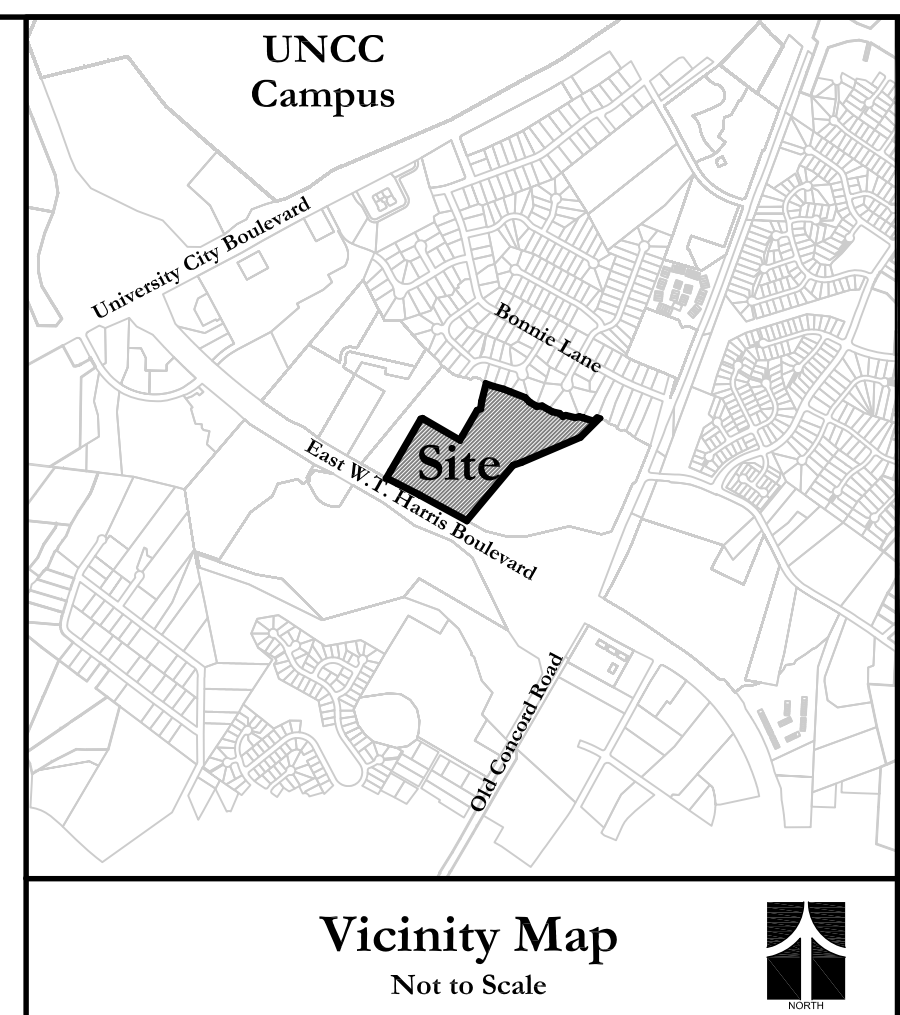
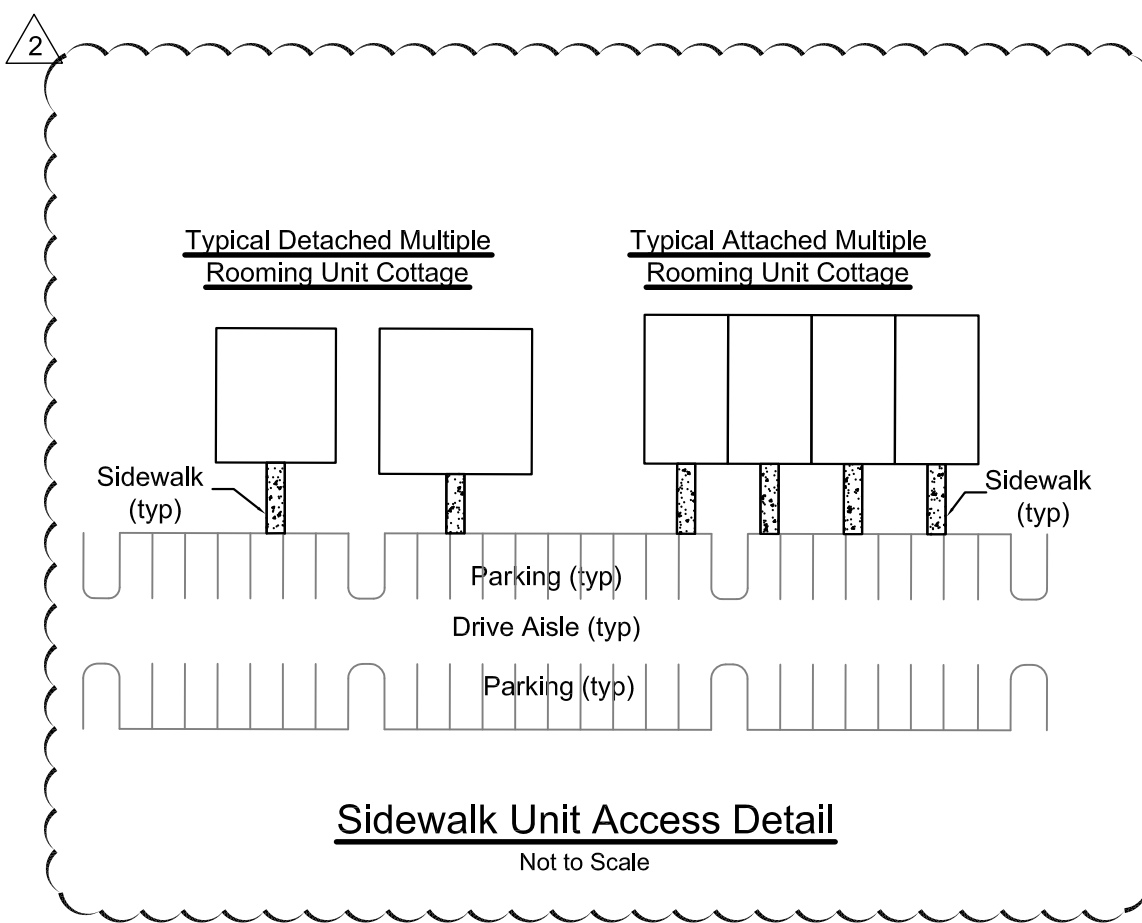
Future amendments to the Technical Data Sheet, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

**11. Binding Effect of the Rezoning Documents and Definitions**

(a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.

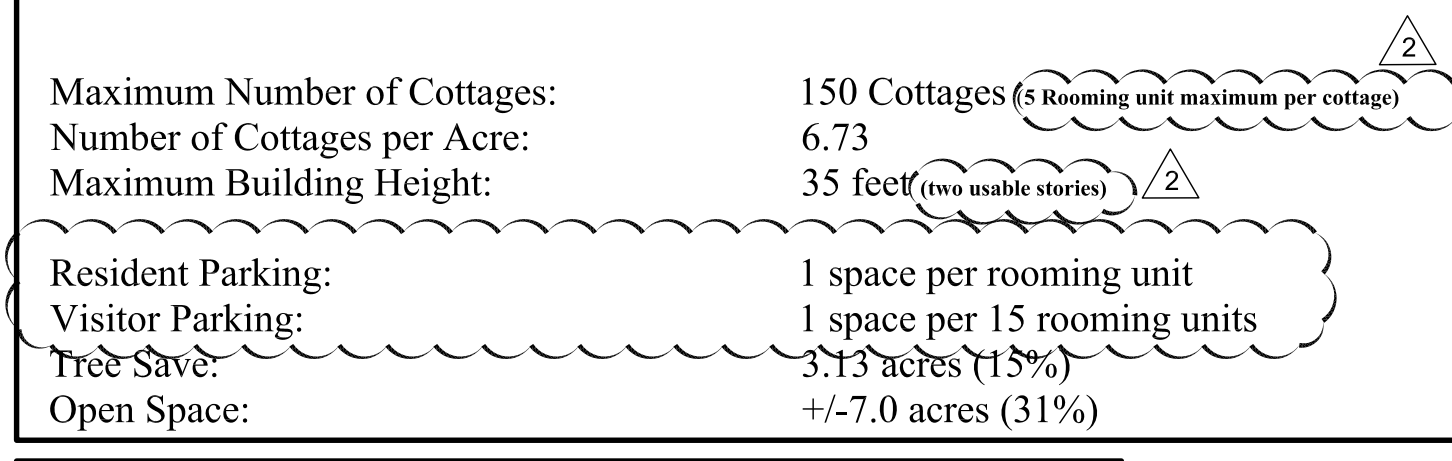
(b) Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.

(c) 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.



**SITE DATA TABLE**

Tax Parcels:	049-412-01
Site Area:	22.27 acres +/-
Existing Zoning:	R-17MF(CD)
Proposed Zoning:	MX-2 (Innovative)
Proposed Uses:	Multiple Rooming Unit Cottages
Maximum Number of Cottages:	150 Cottages (5 Rooming unit maximum per cottage)
Number of Cottages per Acre:	6.73
Maximum Building Height:	35 feet (two usable stories)
Resident Parking:	1 space per rooming unit
Visitor Parking:	1 space per 15 rooming units
Tree Save:	3.13 acres (15%)
Open Space:	+/-7.0 acres (31%)



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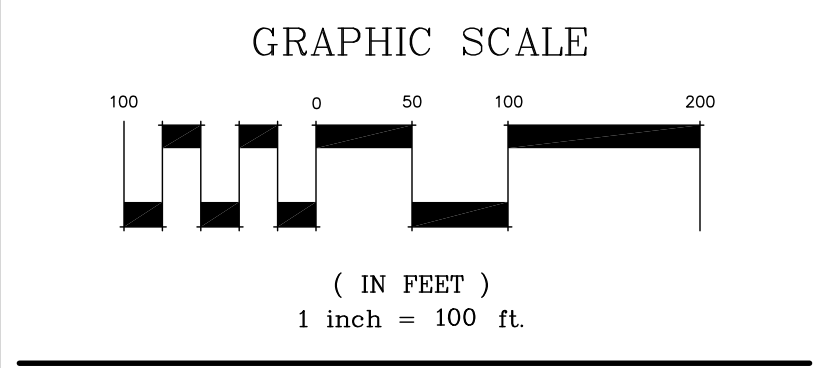
PROJECT LOCATION CHARLOTTE, NC

**Aspen Heights Charlotte**

**Conceptual Site Plan & Technical Data Sheet**

**Petition: 2012-057**

PROJECT LOCATION CHARLOTTE, NC



PROJECT NO	AM33.100
DRAWING	AM33-Conceptual Site Plan& TDS.dwg
DATE	03-26-2012

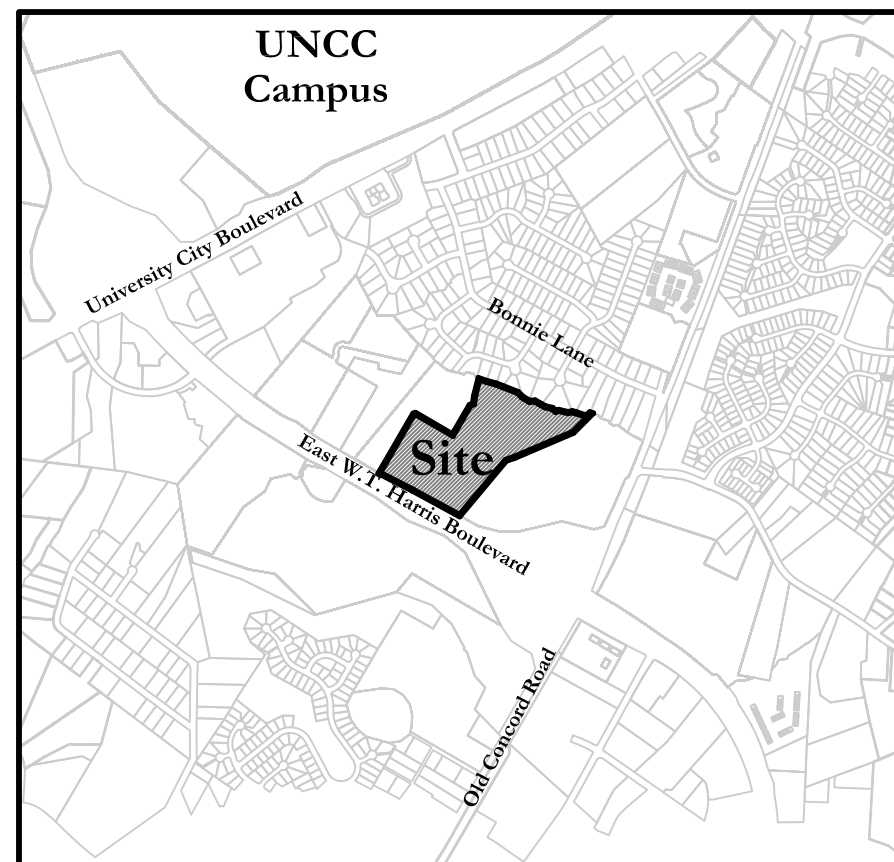
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ESP / CLIENT REVISION			
NO.	DATE	BY	REVISION

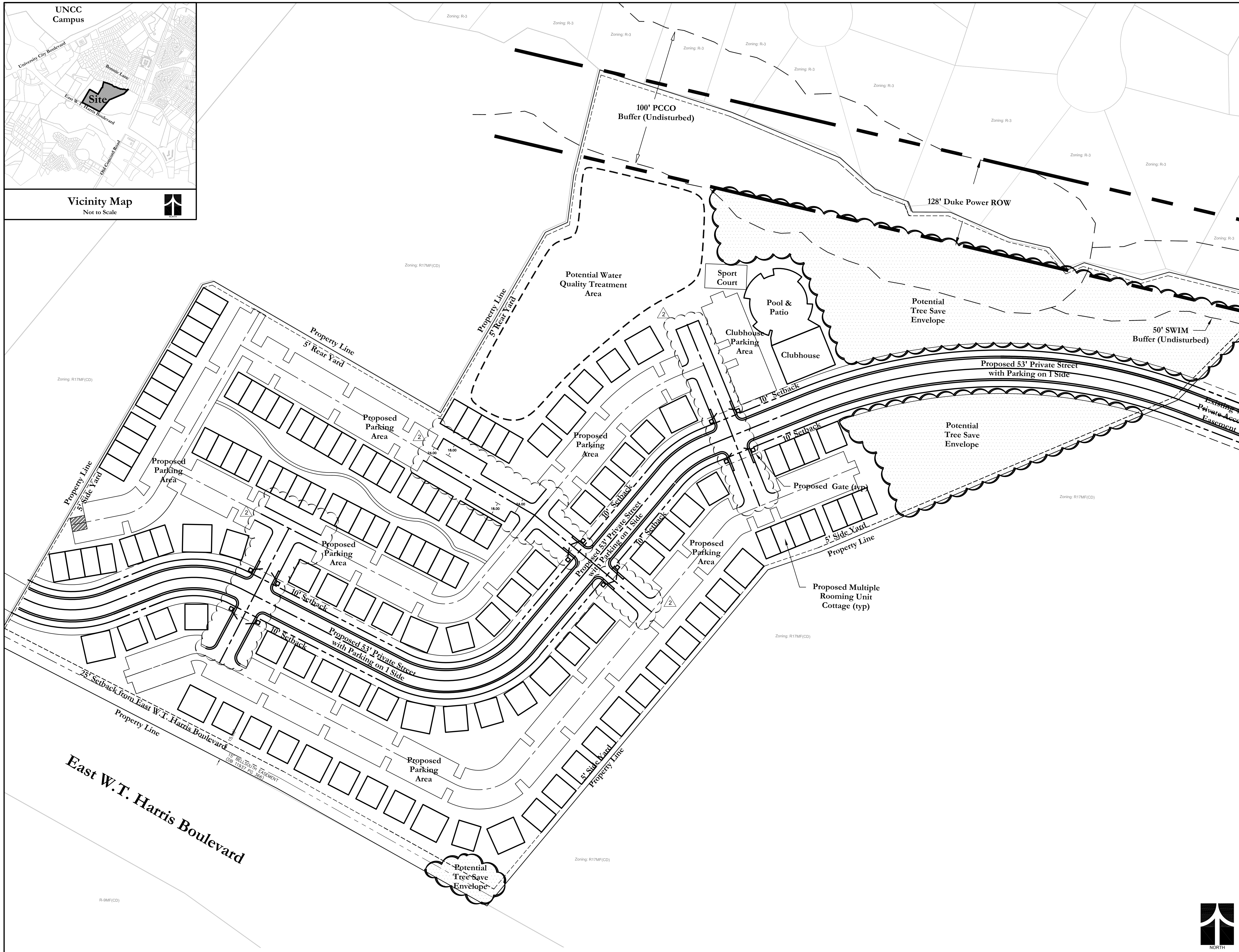

AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION
1	03/26/12	MM	Initial Submittal to CMPC
2	05/18/12	JP	Revised Submittal per Staff Comments


**RZ.2**





Vicinity Map  
Not to Scale



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CLIENT



**ASPEN HEIGHTS**

Aspen Heights  
1301 South Capital of Texas Highway  
Austin, Texas 78746

PROJECT

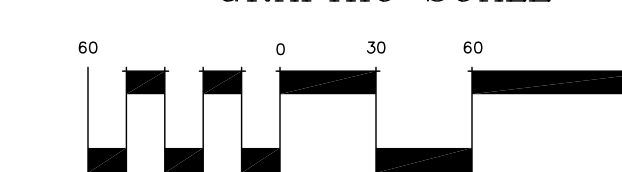
## Aspen Heights Charlotte

SHEET TITLE

### Schematic Site Plan

PROJECT LOCATION CHARLOTTE, NC

GRAPHIC SCALE



( IN FEET )  
1 inch = 60 ft.

PROJECT NO AM33.100

DRAWING AM33-Conceptual Site Plan & TDS.dwg

DATE 05-16-2012

DRAWN BY JP

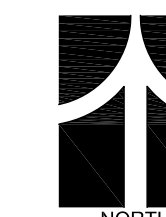
CHECKED BY PT

ESP / CLIENT REVISION

NO.	DATE	BY	REVISION
1	03/26/12	MM	Initial Submittal to CMPC
2	05/18/12	JP	Revised Submittal per Staff Comments

AGENCY / SUBMITTAL REVISION

NO.	DATE	BY	REVISION
1	03/26/12	MM	Initial Submittal to CMPC
2	05/18/12	JP	Revised Submittal per Staff Comments



**RZ.3**





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**ASPEN HEIGHTS**  
 Aspen Heights  
 1301 South Capital of Texas Highway  
 Austin, Texas 78746

PROJECT

**Aspen Heights  
 Charlotte**

SHEET TITLE  
**Conceptual Schematic  
 Architectural  
 Renderings**

PROJECT LOCATION CHARLOTTE, NC

PROJECT NO	AM33.100		
DRAWING	AM33-Renderings.dwg		
DATE	03-26-2012		
DRAWN BY	MM		
CHECKED BY	PT		
ESP / CLIENT REVISION			
NO.	DATE	BY	REVISION
AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION



**Conceptual Schematic Pool Renderings**



**Conceptual Schematic Building Renderings**

Note: Conceptual Schematic architectural renderings of the front elevations of the multiple rooming unit cottages proposed to be constructed on the Site that are intended to depict the general conceptual architectural style, character and elements of these buildings. Conceptual Schematic pool renderings are an artist's interpretation the general style, character, and elements- exact pool configuration and elements subject to change.