

DEVELOPMENT DATA

TAX PARCEL ID #'S: 223-451-81  
ZONING JURISDICTION: MECKLENBURG COUNTY  
TOTAL SITE ACREAGE: (3.78) 3.62 AC NET OF EXISTING R/W

ZONING:

EXISTING ZONING: R8-MF (CD)  
EXISTING USE: SINGLE FAMILY DWELLING UNIT  
(STRUCTURE) & VACANT LAND

LandDesign

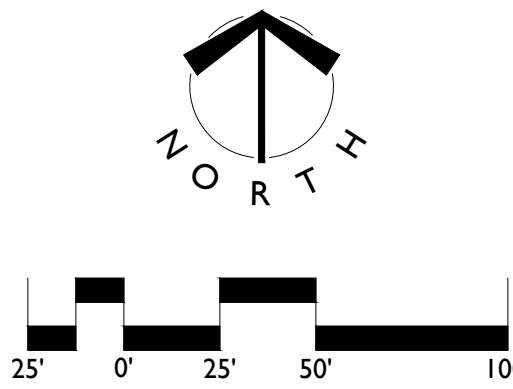
223 N Graham Street Charlotte, NC 28202  
V: 704.333.0325 F: 704.332.3246  
www.LandDesign.com

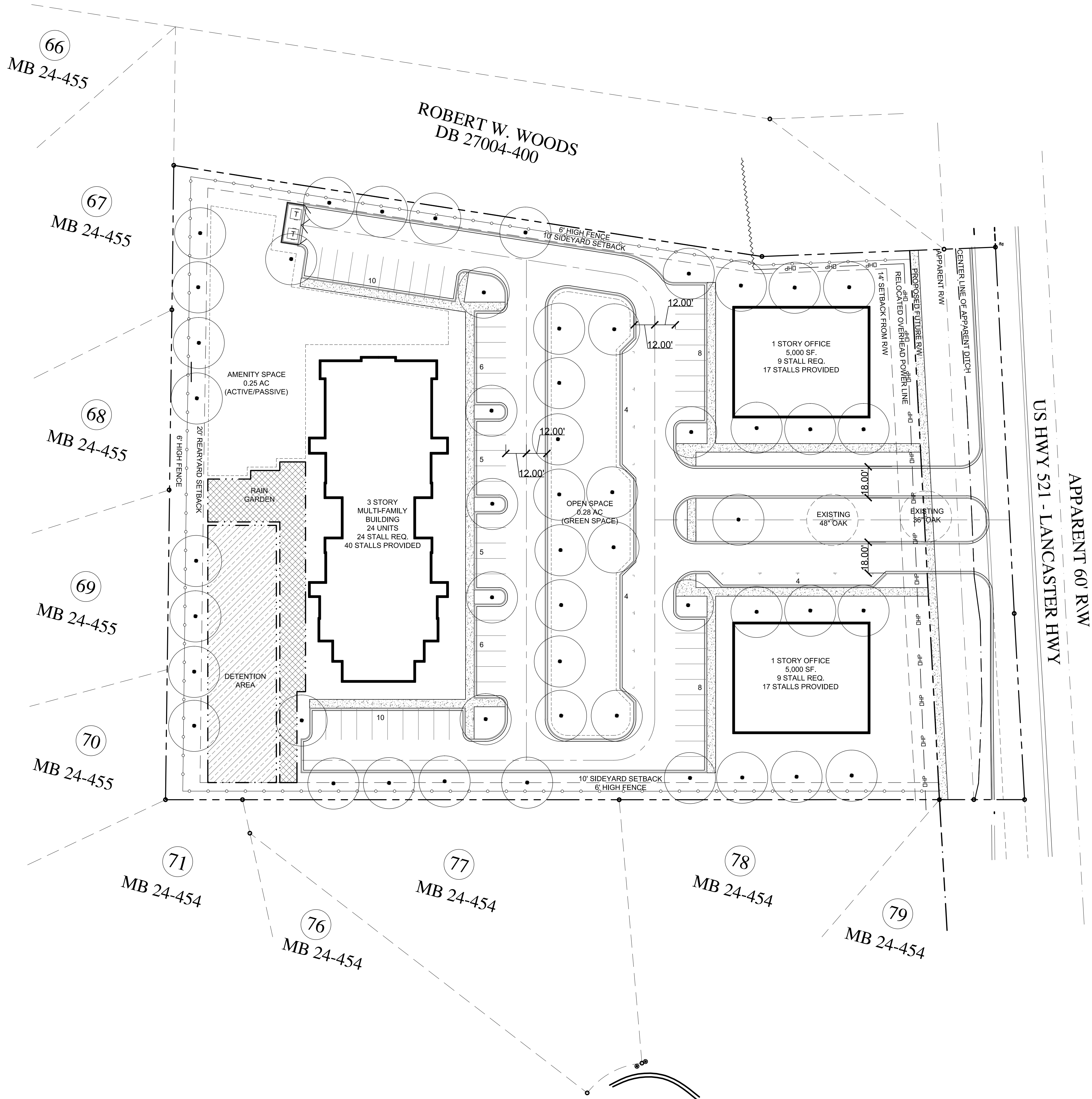
LANCASTER HWY  
EXISTING CONDITIONS  
SOUTHERN APARTMENT GROUP, MECKLENBURG COUNTY  
CITY OF CHARLOTTE REZONING 2014-000

REVISIONS:

DATE: 06/23/14  
DESIGNED BY: LDB  
DRAWN BY: LDB  
CHECKED BY: MB  
SCALE: PER SHEET  
PROJECT #: 1013226  
SHEET #: RZ-1

PETITION ☐ ☐ ☐ ☐ ☐ ☐  
☐ IT ☐ OF ☐ H ☐ R ☐ L ☐ O ☐ T ☐ T ☐ E





DEVELOPMENT DATA

TAX PARCEL ID #'S:	223-451-81
ZONING JURISDICTION:	MECKLENBURG COUNTY
TOTAL SITE ACREAGE:	(3.78) 3.62 AC NET OF EXISTING R/W
PROPOSED UNITS:	24 DWELLING UNITS
PROPOSED OFFICE:	(2) 5,000 SQ.FT./10,000 SQ.FT.
PROPOSED DENSITY:	9 UNITS/ACRE
REQUIRED PARKING:	42 STALLS
PARKING PROVIDED:	70 STALLS

ZONING:

EXISTING ZONING:	R8-MF (CD)
EXISTING USE:	SINGLE FAMILY DWELLING UNIT (STRUCTURE) & VACANT LAND
PROPOSED ZONING:	NS (NEIGHBORHOOD SERVICES)
PROPOSED USE:	UP TO 24 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND UP TO 10,000 SQ.FT. OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USE TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT.

NEIGHBORHOOD SERVICES DATA:

MIN. SETBACK :	14' **
MIN. SIDEYARD:	10'
MIN. REARYARD:	20'
MAX. BLDG HEIGHT:	*

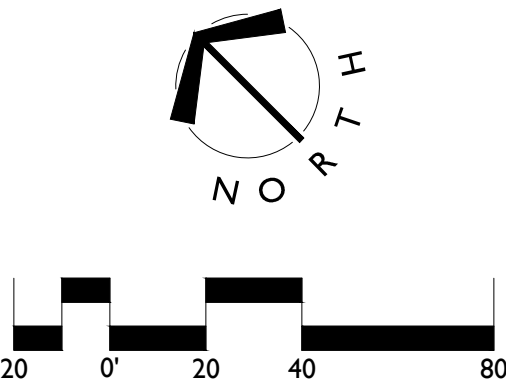
\*NOT TO EXCEED (3) STORIES OR 40 FEET FOR MULTI-FAMILY RESIDENTIAL BUILDING; AND NOT TO EXCEED ONE (1) STORY AND 30 FEET FOR THE PROPOSED OFFICE BUILDINGS, BUILDING HEIGHT TO BE MEASURED AS DEFINED BY THE ORDINANCE.

\*\*14' FROM BACK OF EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER

LEGEND:

- EXISTING TREES TO BE SAVED
- PROPOSED STREET TREES
- PROPOSED WATER QUALITY
- PROPOSED RAIN GARDEN

PETITION ☐ ☐ ☐ ☐ ☐ ☐  
☐ IT ☐ OF ☐ H ☐ RLOTTE



--**Acreage:** ± 3.62 acres net of existing right-of-way (± 3.78 acres total)  
 --**Tax Parcel #:** 223-451-81  
 --**Existing Zoning:** R-8MF(CD) (by Rezoning Petition No. 2008-001(c)  
 --**Proposed Zoning:** NS

**--Proposed Uses:** Up to 24 multi-family residential dwelling units and up to 10,000 square feet of gross floor area of general and medical office uses together with accessory uses, as allowed in the NS zoning district.

**--Maximum Building Height:** Not to exceed (3) stories or 40 feet for the multi-family residential building; and not to exceed one (1) story and 30 feet for the proposed office buildings, building height to be measured as defined by the Ordinance.

**--Parking:** A minimum of 1.5 parking spaces per dwelling unit and a minimum of 1.0 parking space for each 300 gross square feet of office uses will be provided.

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Southern Apartment Group - Ballantyne, LLC ("Petitioner") to accommodate the development of a 24 unit multi-family community and a small scale professional office park on approximately 3.78 gross acre site (3.62 acres excluding existing road right-of-way) located on the west side of Lancaster Hwy. between Southcrest Lane and Winghurst Drive (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 Mecklenburg County Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS zoning classification shall govern.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, 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:

- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "building envelope line" indicated on Sheet RZ-1; or
- modifications to allow changes to the configuration and type of improvements indicated on Sheet RZ-2 to the amenity areas/open spaces as long as the total area of the amenity areas/open spaces is not reduced beyond what is indicated 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.** The total number of principal buildings to be developed on the Site shall not exceed four (4). 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 located on the Site.

a. The Site may be developed with up to 24 multi-family residential dwellings units and up to 10,000 square feet of gross floor area of general and medical office uses together with accessory uses allowed in the NS zoning district.

b. Surface parking areas will not be allowed between Lancaster Highway and the proposed buildings.

a. Access to the Site will be from Lancaster Highway in the manner generally depicted on the Rezoning Plan.

b. The Petitioner will dedicate in fee-simple to the City of Charlotte up to 50 feet of right-of-way from the center line of Lancaster Highway. This right-of-way dedication will occur prior to the issuance of a certificate of occupancy for the building constructed on the Site.

c. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT or NCDOT in accordance with applicable published standards.

d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

b. No spans of blank, unarticulated walls greater than 20 feet will be allowed along Lancaster Highway

c. The roofs on the buildings will be constructed utilizing architectural shingles.

d. Meter banks will be screened from adjoining properties and from Lancaster Highway.

e. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

a. Along Lancaster Highway a 14 foot setback measured from the future right-of-way line of Lancaster Highway will be provided.

b. A five (5) foot vegetative screen with a decorative solid six (6) foot fence will be provided along the Site's perimeter as generally depicted on the Rezoning Plan.

c. The Petitioner has identified on the Rezoning Plan several open space areas as generally depicted on the Rezoning Plan. These open space areas may include existing trees as well as new landscaping. These open space areas will be improved with seating areas landscaping and other features for the residents and tenants of the Site.

d. Utilities may cross the vegetative screen area at angles no greater than 75 degrees.

e. The Petitioner will provide a five (5) foot sidewalk and an eight (8) planting strip as along the Site's frontage on Lancaster Highway Road in the manner generally depicted on the Rezoning Plan.

f. The Petitioner will provide a sidewalk network that connects the buildings on the Site to the sidewalk along Lancaster Highway in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.

5g. Screening requirements of the Ordinance will be met.

h. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

a. The Petitioner shall comply with the Mecklenburg County approved and adopted Post Construction Controls 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.

a. Signage as allowed by the Ordinance will be provided.

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 15 feet in height.

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 of Chapter 6 of the Ordinance.

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 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.