

Grier Property - Petition #2016-120

Conditional District Rezoning - Development Standards

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets 1 through 5) associated with the Rezoning Petition filed by Charter Properties, Inc. (the "Petitioner") to accommodate the development of a residential community on an approximately 76.77 acre site located on the north side of Brown-Grier Road between Steele Creek Road and Gallant Lane, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of a portion of Tax Parcel No. 201-481-01, a portion of Tax Parcel No. 201-481-05 and all of Tax Parcel Nos.
- B. For entitlement purposes, the Site is divided into two separate development areas that are designated as Development Area A and Development Area B on the Rezoning Plan. Any reference herein to the Site shall be deemed to include Development Area A and Development Area B unless otherwise noted.
- C. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte (3) The architectural and design standards set out below shall apply to Development Area A. Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the R-12 MF (CD) zoning district shall govern the development and use of the Site.
- D. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the layout, locations and sizes of the uses, improvements and site elements depicted on the Rezoning Plan as well as the internal streets, drives, alleys and parking areas are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- E. The development of the Site proposed under this Rezoning Plan shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other elements located on the Site. Furthermore, the Petitioner and/or the owner(s) of the Site reserve the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards and public/private street frontage requirements, provided, (ii) Concrete masonry units not architecturally finished. however, that the development of the Site shall be required to meet any applicable setback, side yard, rear yard and buffer requirements with respect to the exterior boundaries of the Site.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of a Development Area without the consent of the owner or owners of any other Development Area in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

clubhouse, swimming pool, dog park and outdoor grilling and gathering areas.

- A. Development Area A (1) That portion of the Site designated as Development Area A on the Rezoning Plan may only be devoted to a residential community containing a maximum of 292 multi-family dwelling units, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the R-12 MF zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office and amenities such as a fitness center,
- (1) That portion of the Site designated as Development Area B on the Rezoning Plan may only be devoted to a residential community containing a maximum of 305 for sale single family attached dwelling units, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the R-12 MF zoning district. Incidental and accessory uses may include, without limitation, amenities such as a shade structure, swimming pool and playground. The single family attached dwelling units may consist of front loaded units and alley loaded units.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- B. As depicted on the Rezoning Plan, the Site will be served by internal private alleys, internal private streets, internal public streets and internal driveways.
- C. The alignment of the internal private alleys, the internal private and public streets, the vehicular circulation areas and the driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards so long as the street network set forth on the Rezoning Plan is not materially altered.
- D. Petitioner shall reserve as future right of way for future Dixie River Road that will be constructed by others (and not Petitioner) a 100 foot wide portion of the Site located at the northeasterly corner of the Site that is generally depicted on the Rezoning Plan (the "Future Dixie River Road Right of Way"). The Future Dixie River Road Right of Way shall be dedicated and conveyed to the City by Petitioner upon the request of the City when this new public street is to be constructed by others.
- E. Prior to the issuance of a certificate of occupancy for the first building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (the "City") or to NCDOT (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to (ii) For pitched roofs, the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls. Brown-Grier Road as required to provide right of way measuring 61.5 feet from the existing centerline of Brown Grier Road, to the extent that such right of way does not already exist. The portion of the Site to be dedicated as right of way is generally depicted on the Rezoning Plan.
- F. Excluding the Future Dixie River Road Right of Way, any right of way required to be dedicated and conveyed by Petitioner to the City and/or NCDOT shall B. Development Area B be dedicated and conveyed prior to the issuance of a certificate of occupancy for the first building constructed on the Site. Notwithstanding the foregoing, sidewalk utility easements may be provided in lieu of right of way to accommodate planting strips and sidewalks at the option of Petitioner, and any sidewalk utility easements shall be provided prior to the issuance of a certificate of occupancy for the first building constructed on the Site.
- G. Any reference to the term "substantially complete" in this Section 3 of the Development Standards shall mean a determination by CDOT and/or NCDOT (2) The maximum height in feet of each building containing single family attached dwelling units shall be 40 feet as measured from the average grade at the that the applicable roadway improvements are deemed "substantially complete" for the purpose of the issuance of certificates of occupancy for building(s) on the Site. However, in the event that certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event Petitioner may be required to post a letter of credit or a bond for any improvements not in place at the time such certificates of occupancy are issued to secure the completion of the relevant improvements.
- H. Petitioner shall construct the transportation improvements set out below, and such transportation improvements shall be substantially complete prior to the issuance of a certificate of occupancy for the first building constructed on the Site.

(1) Brown-Grier Road and Cedar Hill Drive/Proposed Access "A" (unsignalized)

- (a) Construct an offset eastbound left turn lane on Brown-Grier Road with 300 feet of storage and an appropriate bay taper.
- (b) Construct an offset westbound left turn lane on Brown Grier Road from the existing 125 feet of storage to 200' feet of storage.
- (c) Construct a westbound right turn lane on Brown-Grier Road with 100 feet of storage and an appropriate bay taper. This will become the 2nd westbound thru lane with the City's project.

(d) Construct Proposed Access "A" with one ingress lane and separate combined left-thru and right (100 feet of storage) egress lanes.

(2) Steele Creek Road and Brown-Grier Road (signalized)

- (a) Extend the existing southbound left turn lane on Steele Creek Road from 125 feet to 225 feet of storage with an appropriate bay lane taper (pavement re-mark). If there is not enough width to provide appropriate approach and bay tapers and storage, Steele Creek Road may need to be widened.
- (b) Complete the extension of the westbound right turn lane on Brown-Grier Road from the original 150 feet of storage and an appropriate bay taper currently funded by NCDOT to provide a full right turn lane between Steele Creek Road and Access "D".

(3) Brown-Grier Road and Proposed Access "B" (unsignalized)

- (a) Construct an eastbound left turn lane on Brown-Grier Road with 150 feet of storage and an appropriate bay taper.
- (b) Construct a westbound right turn lane on Brown-Grier Road with 100 feet of storage and an appropriate bay taper. This will become the 2nd westbound thru lane with the City's project.
- (c) Construct Proposed Access "B" with one ingress lane and separate left and right (100 feet of storage) egress lanes.
- (4) Brown-Grier Road and Proposed X-over Access "C" (unsignalized)
- (a) Construct a westbound right turn lane on Brown-Grier Road with 100 feet of storage and an appropriate bay taper. This will become the 2nd westbound thru
- (b) Construct an eastbound directional crossover with a minimum 200 feet of storage and an appropriate bay taper to restrict left exiting movements.
- (c) Construct the median to extend from 100 feet from the eastern curb return and continue to the start of the bay taper for the 200-foot eastbound left turn lane.
- (d) Construct Proposed Access "C" with one ingress lane and one egress lane that terminates as a right turn lane at Brown-Grier Road.

(5) Brown-Grier Road and Proposed RI/RO Access "D" (unsignalized)

- (a) Construct a westbound right turn lane on Brown-Grier Road with 100 feet of storage and an appropriate bay taper. This will become the 2nd westbound thru
- (b) Construct Proposed Access "D" with one ingress lane and one egress lane that terminates as a right turn lane at Brown-Grier Road.
- (c) Install a raised median (minimum four-foot width) in Brown-Grier Road a minimum of 50 feet beyond the curb return on the west side of the access and a minimum of 100 feet beyond the curb line on the east side to restrict left entering and exiting movements.
- The above roadway improvements must fit within the City of Charlotte's future planned widening project for Brown-Grier Road (slated to begin construction in 2020) that will improve the roadway corridor between Steele Creek Road and Sandy Porter Road. The improvements will include an additional thru lane in each direction and appropriate left turn lanes or median island; buffered bike lanes, curb/gutter, planting strip, and sidewalk on both sides of the roadway.

- 4. ARCHITECTURAL STANDARDS
- Development Area A
- (1) The maximum height in stories of any building located on Development Area A shall be 3 stories.
- (2) The maximum average height in feet of any building located on Development Area A shall be 48 feet at the front building line as measured under the
- (a) Preferred Exterior Building Materials: With respect to each principal and accessory building that abuts a network required public or private street, including garages and garage carriage units, the facade of such building that faces such network street shall contain a minimum of 20% brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- (b) Prohibited Exterior Building Materials:
- (i) Vinyl siding (but not vinyl hand rails, windows, soffits, garage doors, doors or door trim).
- (c) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
- Buildings shall be placed so as to present a front or side facade to all network required streets (public or private).
- (ii) Buildings shall front a minimum of 50% of the total network required street frontage on Development Area A (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
- (iii) Parking lots shall not be located between any network required public or private street and a building.
- (d) Building Massing and Height shall be designed to break up long monolithic building forms as follows:
- (i) Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 2 feet extending through at least a full floor.
- Balconets shall not be used at the street level along network required public or private streets. Where ground level patios and porches are provided, walkways shall be provided to connect the patios and porches to the sidewalk located along the adjacent public or private street.
- (e) Architectural Elevation Design building elevations, including the elevations of any garage carriage units that abut a network required public or private
- street, shall be designed to create visual interest as follows: Building elevations shall be designed with vertical bays or articulated architectural facade features which may include, but not be limited to, a combination
- of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors. (ii) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be
- executed through use of the Preferred Exterior Building Materials or articulated architectural facade features and color changes.
- i) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as, but to limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- Roof Form and Articulation roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
- (i) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include, but not be limited to, gables, hips, dormers or parapets.
- (iii) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
- (1) The maximum height in stories of the single family attached dwelling units to be located on Development Area B shall be 2 stories.
- (3) For the purposes of these Architectural Standards, front loaded single family attached dwelling units are dwelling units with the garage doors located at the front of the dwelling units, and rear loaded single family attached dwelling units are dwelling units with the garage doors located at the rear of the dwelling
- (4) Attached to the Rezoning Plan are conceptual architectural perspectives of the front elevations of the front loaded single family attached dwelling units to be constructed on the Site that are intended to depict the general conceptual architectural style and character of the front elevations of the front loaded single family attached dwelling units. Accordingly, the front elevations of the front loaded single family attached dwelling units to be constructed on the Site shall be designed and constructed so that the front elevations are substantially similar in appearance to one of the attached conceptual architectural perspectives with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.
- (5) Attached to the Rezoning Plan are conceptual architectural perspectives of the front elevations of the rear loaded single family attached dwelling units to be constructed on the Site that are intended to depict the general conceptual architectural style and character of the front elevations of the rear loaded single family attached dwelling units. Accordingly, the front elevations of the rear loaded single family attached dwelling units to be constructed on the Site shall be designed and constructed so that the front elevations are substantially similar in appearance to one of the attached conceptual architectural perspectives with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.
- (6) The primary exterior building materials for the single family attached dwelling units to be located on the Site shall be face brick, cementitious siding, manufactured stone or stucco.
- (7) Vinyl, EIFS or masonite may not be used as an exterior building material on the single family attached dwelling units to be constructed on the Site.
- (8) All corner or end dwelling units that face a public or private street shall have windows or other architectural details that limit the maximum blank wall expanse to 10 feet on each level of the dwelling unit.
- (9) Garage doors on all front loaded single family attached dwelling units shall contain translucent windows and hardware.

Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.

- (10) A minimum of 66% (201 units) of the single family attached dwelling units to be constructed on the Site shall be rear loaded single family attached dwelling
- (11) Walkways shall be provided to connect each single family attached dwelling unit to the sidewalk located along the adjacent public or private street.

5. STREETSCAPE/LANDSCAPING/BUFFERS

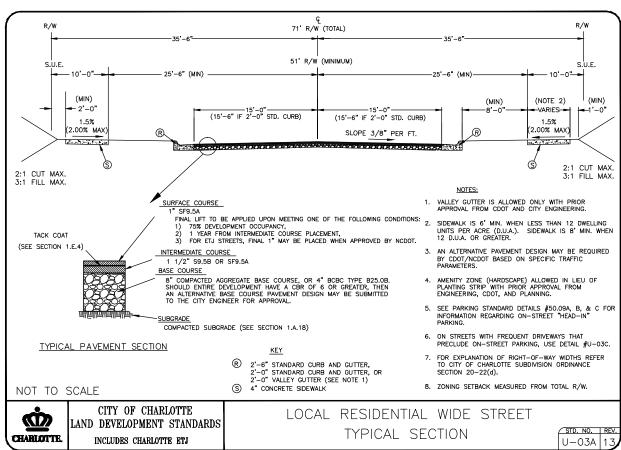
- A. The development of the Site shall comply with the applicable landscaping and screening requirements of the Ordinance.
- B. A 50 foot Class C buffer shall be established along those portions of the Site's boundary lines that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to Section 12.302(8) of the Ordinance, the width of the Class C buffer areas may be reduced by 25% by installing a wall, fence or berm that meets the standards of Section 12.302(8) of the Ordinance.
- C. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
- D. Petitioner shall plant street trees on the internal private streets. Notwithstanding the foregoing, in lieu of street trees, trees may be planted in the front yards of the dwelling units located on private streets.
- Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.
- 6. ENVIRONMENTAL FEATURES
- A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.
- As noted above in paragraph 1.E., the development of the Site shall be considered to be a planned/unified development. Accordingly, the tree save requirements of the City of Charlotte Tree Ordinance shall be calculated and satisfied over the entire Site, rather than within each individual Development Area. As a result, each individual Development Area shall not be required to meet the tree save requirements of the City of Charlotte Tree Ordinance

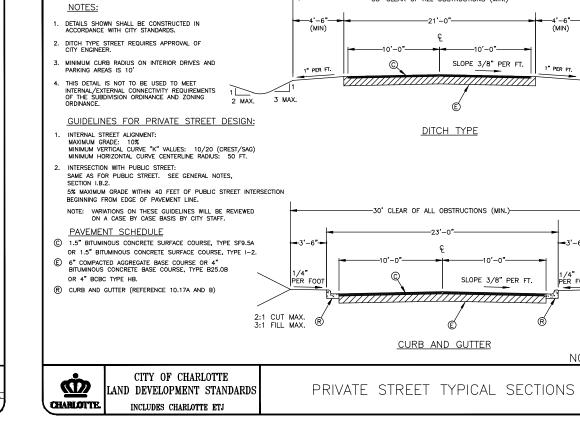
- provided that the Site as a whole meets such tree save requirements.
- C. The tree save areas depicted on the Rezoning Plan are conceptual, and the actual locations of the tree save areas on the Site may vary from what is depicted on the Rezoning Plan. The actual locations of the tree save areas shall be determined prior to the first plan approval during the permitting process.
- D. 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.
- E. Roll out carts shall be utilized for refuse/recycling collection for the single family attached dwelling units to be located in Development Area B.

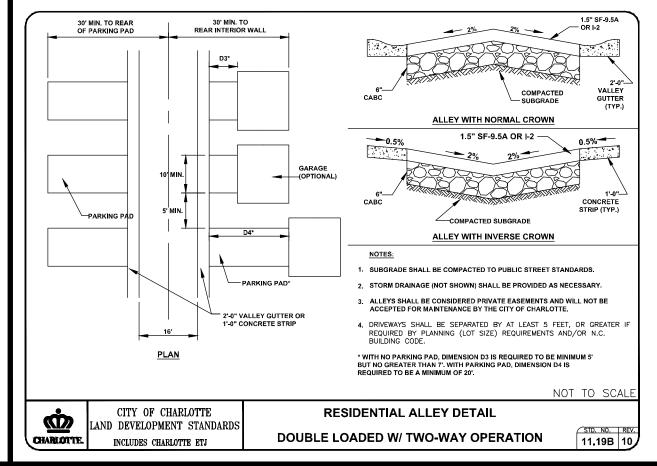
7. PARKS, GREENWAYS AND OPEN SPACE

- Prior to the issuance of a certificate of occupancy for the last building constructed on that portion of the Site designated as Development Area A, Petitioner shall dedicate and convey those portions of Development Area A that are located on the eastern side of Steele Creek and are depicted on the Rezoning Plan as "Proposed 80' Greenway Area"- Dedication From Top Eastern of Bank" (the "Greenway Area") to Mecklenburg County for future greenway purposes. Prior to the dedication and conveyance of the Greenway Area on Development Area A to Mecklenburg County, Petitioner shall have the right to install and locate utility lines through such Greenway Area and to reserve such easements over such Greenway Area that are necessary to maintain, repair and replace such utility lines, and to reserve such other easements as may be reasonably necessary in connection with the development of the Site as long as these easements and utility lines do not interfere with the construction and maintenance of the greenway. Any easements must be reviewed prior to the dedication of the Greenway Area on Development Area A to Mecklenburg County.
- B. Prior to the issuance of a certificate of occupancy for the fiftieth (50th) single family attached dwelling unit constructed on that portion of the Site. designated as Development Area B, Petitioner shall dedicate and convey those portions of Development Area B that are located on the eastern side of Steele (Creek and are depicted on the Rezoning Plan as "Proposed 80' Greenway Area"- Dedication From Top of Eastern Bank" (the "Greenway Area") to Mecklenburg County for future greenway purposes. Prior to the dedication and conveyance of the Greenway Area on Development Area B to Mecklenburg County, Petitioner shall have the right to install and locate utility lines through such Greenway Area and to reserve such easements over such Greenway Area that are necessary to maintain, repair and replace such utility lines, and to reserve such other easements as may be reasonably necessary in connection with the development of the Site as long as these easements and utility lines do not interfere with the construction and maintenance of the greenway. Any easements must be reviewed prior to the dedication of the Greenway Area on Development Area B to Mecklenburg County.
- C. At such time that Petitioner grades the Site, Petitioner shall provide within the Greenway Area a 30 foot wide graded area to accommodate a 12 foot wide greenway trail to be constructed by Mecklenburg County and appropriate shoulders and drainage for the greenway trail. The 30 foot wide graded area shall run in a generally north to south direction from the northern boundary line of the Site to the southern boundary line of the Site, and the graded area shall have a maximum longitudinal slope of 5 percent. With respect to those portions of the Greenway Area that are located in tree save areas, the provision of the 30 foot wide graded area within tree save areas shall be subject to the approval of the City of Charlotte Urban Forester (the "Urban Forester"), and if the Urban Forester does not approve the provision of the 30 foot wide graded area in tree save areas, then the 30 foot wide graded area shall not be required to be provided. If the City of Charlotte Urban Forester approves a graded area within tree save areas at a width less than 30 feet, then Petitioner shall provide a graded area at the width approved by the Urban Forester.
- D. The area of the Site located within the Greenway Area shall be considered when calculating the allowed residential density on the Site.
- The trees located within the Greenway Area shall count towards the Site's minimum tree save requirements.
- F. The Greenway Area shall count towards the Site's required open space.
- G. The following amenities shall be provided within Development Area A: a clubhouse and fitness center, a swimming pool, a dog park and outdoor grilling
- H. An amenity area shall be provided on Development Area B and at a minimum, the amenity area shall contain a shade structure, a swimming pool and a playground.
- 8. LIGHTING
- A. All freestanding lighting fixtures installed on the Site (excluding street lights, landscape lighting and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site. The maximum height of any freestanding lighting fixtures installed on the Site shall be 21 feet.
- Any lighting fixtures attached to the buildings to be located on the Site shall be decorative, capped and downwardly directed.
- 9. BINDING EFFECT OF THE REZONING DOCUMENTS, DEFINITIONS AND VESTED RIGHTS
- A. If this Rezoning Petition is approved, all conditions applicable to the use and 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.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner 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
- D. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions

Typical Street Sections & Land Development Standards





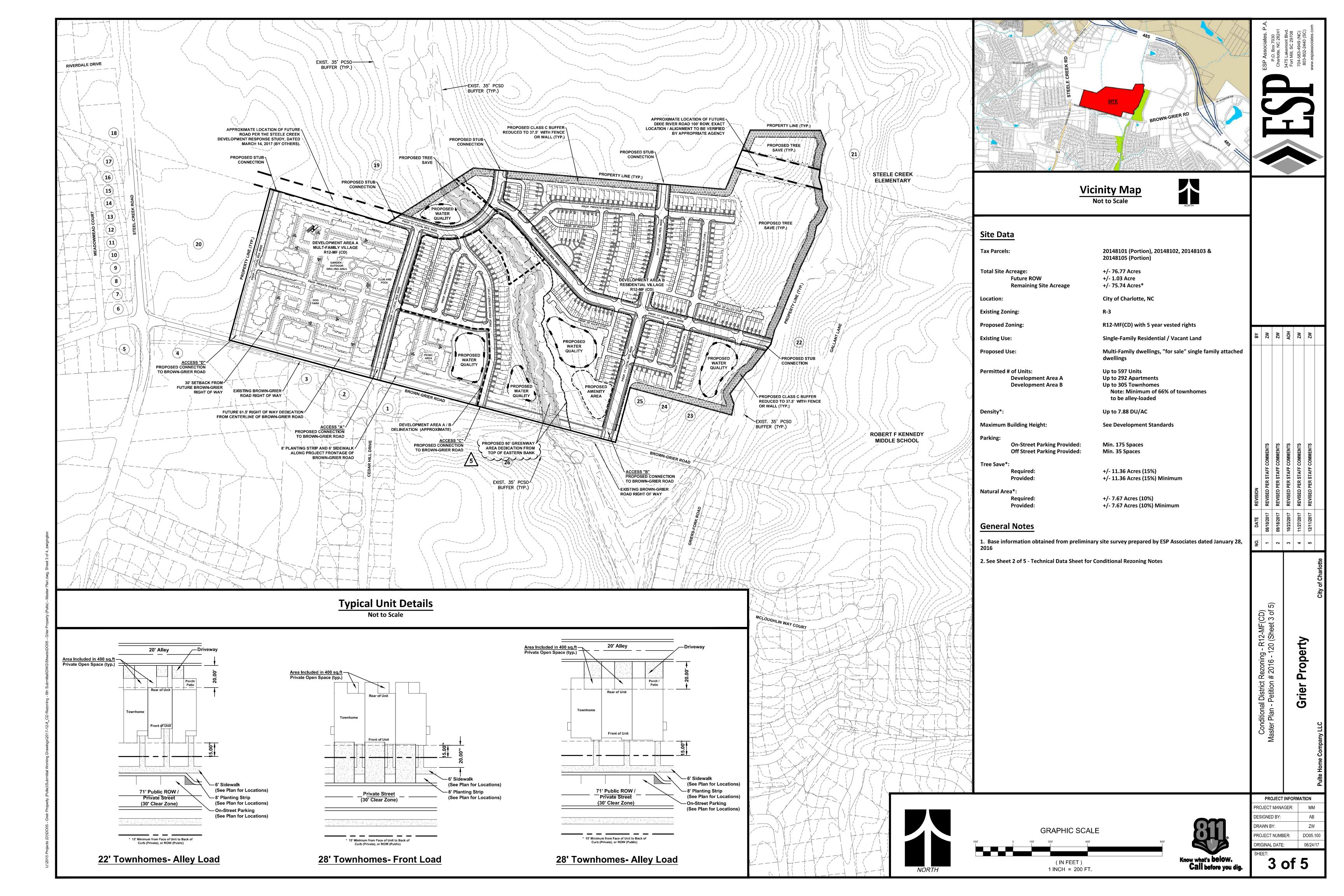


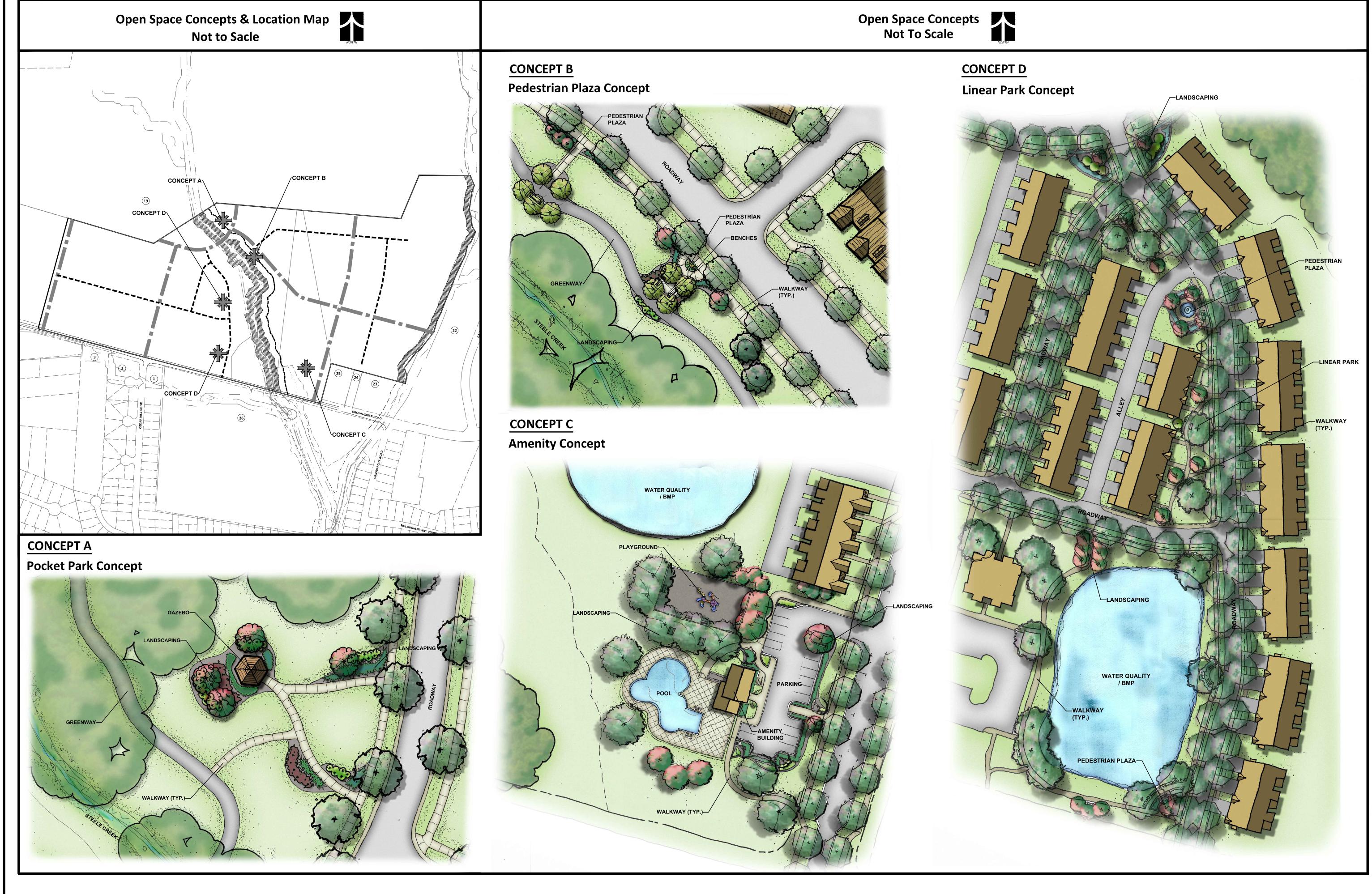


PROJECT INFORMATION PROJECT MANAGER: DESIGNED BY: RAWN BY: PROJECT NUMBER: ORIGINAL DATE: 06/24/17

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| -IVIF(CD) 20 (Sheet 4 of 5) | 1 | 08/10/2017 | 08/10/2017 REVISED PER STAFF COMMENTS | ΜZ |
| | 2 | 09/18/2017 | 09/18/2017 REVISED PER STAFF COMMENTS | MΖ |
| | 3 | 10/23/2017 | 10/23/2017 REVISED PER STAFF COMMENTS | ADH |
| | 4 | 11/27/2017 | 11/27/2017 REVISED PER STAFF COMMENTS | ΔX |
| | 2 | 12/11/2017 | 12/11/2017 REVISED PER STAFF COMMENTS | MΖ |
| City of Charlotte | | | | |

PROJECT INFORMATION

PROJECT MANAGER: MM

DESIGNED BY: AB

DRAWN BY: ZW

PROJECT NUMBER: DO05.100

ORIGINAL DATE: 06/24/17

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28' FRONT LOADED TOWNHOMES



CONCEPTUAL ELEVATION 22' ALLEY LOADED TOWNHOMES

> DESIGNED BY: PROJECT NUMBER: DO05.100 5 of 5