

GENERAL PROVISIONS

- a. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION, FILED BY HARRISON TUCKER (THE PETITIONER), TO ACCOMMODATE THE DEVELOPMENT OF 5 RESIDENTIAL DWELLING UNITS ON AN APPROXIMATELY 0.173 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF NORTH DAVIDSON STREET & 17TH STREET, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBER 08107205.
- b. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- c. UNLESS THE ZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARD, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 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 SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENT DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. THE SETBACKS, AS SHOWN ON THE SITE PLAN, ARE: 14' FRONT SETBACK FROM NORTH DAVIDSON STREET; 14' SIDE SETBACK FROM 17TH STREET; 5' SIDE SETBACK FOR THE TWO UNITS FACING NORTH DAVIDSON AND A 5' SIDE SETBACK AGAINST THE 50.05' LOT DIMENSION; 10' REARYARD SETBACK AT THE BACK OF THE THREE CONSECUTIVE UNITS FACING E 17TH.
- e. FUTURE AMENDMENTS TO REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISION OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.
- f. EACH SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE A STEPS WITH A MINIMUM COMBINED HEIGHT OF 18 INCHES FROM THE IMMEDIATELY ADJACENT SIDEWALK TO THE FRONT STOOP OR PORCH LOCATED AT THE FRONT ENTRY DOOR INTO EACH SINGLE FAMILY ATTACHED DWELLING UNIT.

PERMITTED USES

- a. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 5 RESIDENTIAL DWELLING UNITS, AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

b.

TRANSPORTATION

- a. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS, AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- b. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY A PRIVATE DRIVEWAY, AND MINOR ADJUSTMENT TO THE LOCATION OF THE DRIVEWAY SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.

ARCHITECTURAL STANDARDS

- a. PREFERRED EXTERIOR BUILDING MATERIALS SHALL COMPRISE OF BRICK, CEDAR SHAKE, WOOD SIDING, FIBER CEMENT SIDING, STUCCO, MASONRY AND/OR OTHER MATERIAL APPROVED BY THE CITY PLANNING DIRECTOR.
- b. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- c. PERMITTED SLOPED ROOF MATERIALS ARE ASPHALT SHINGLES, COMPOSITION SHINGLES, WOOD SHINGLES, TIN, STANDING SEAM METAL, AND WOOD SHAKES.
- d. THE SCHEMATIC DEPICTION OF SIDEWALKS, DRIVEWAY, 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 PROVISION OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENT DEPICTED BY THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/ SITE ELEMENT 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.
- e. BUILDING HEIGHT SHALL NOT EXCEED 44'-0" OR AS DESCRIBED IN TABLE 9.406(2)(A) IN THE ZONING ORDINANCE.

OPEN SPACE

- a. PETITIONER TO COMPLY WITH THE PRIVATE OPEN SPACE REQUIREMENTS IN SECTION 9.406 OF THE ZONING ORDINANCE IF REQUIRED IN THE UR-2 ZONING DISTRICT AT THE TIME OF PERMITTING.

ENVIRONMENTAL FEATURES

- a. DEVELOPMENT OF THE SITE SHALL COMPLY WITH CHARLOTTE TREE ORDINANCE.

LIGHTING

- a. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECTED ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- b. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED FIFTEEN (15) FEET.
- c. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE. CAPPED AND DOWNWARDLY DIRECTED.

STREETSCAPE AND LANDSCAPING

- a. PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE SIDEWALK ALONG THE CURBSIDE IN ALIGNMENT WITH THE EXISTING SIDEWALK ALONG 17TH STREET AND A MINIMUM 8 FOOT WIDE PLANTING STRIP IN THE REMAINING AREA BETWEEN THE SIDEWALK AND THE BUILDINGS AS GENERALLY SHOWN ON THE SITE PLAN.

- b. PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE PLANTING STRIP SET ALONG THE BACK OF CURB ALONG N. DAVIDSON STREET AND A MINIMUM 8 FOOT WIDE SIDEWALK IMMEDIATELY ADJACENT TO THE PLANTING STRIP AS GENERALLY SHOWN ON THE SITE PLAN.
- b. IN ORDER TO ACCOMMODATE THE EXISTING GRADE, PETITIONER MAY INSTALL A RETAINING WALL BETWEEN THE SIDEWALK AND PLANTING STRIP, PROVIDED THAT PETITIONER OBTAIN A CDOT ENCROACHMENT AGREEMENT IF THE RETAINING WALL IS WITHIN THE PUBLIC RIGHT OF WAY.
- c. PETITIONER SHALL PROVIDE A SIDEWALK EASEMENT FOR ANY SIDEWALK LOCATED OUTSIDE OF THE PUBLIC RIGHT OF WAY, SET AT TWO FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE, PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
- d. IF THE NONE OF THE THREE EXISTING OAK TREES LOCATED IN THE NORTHERN PORTION OF THE 17TH ST. STREETScape ARE VIABLE AFTER CONSTRUCTION, THEN THE SIDEWALK AND PLANTING STRIP ON 17TH ST. LOCATED TO THE NORTH OF THE CURB CUT WILL BE CONSTRUCTED IN THE NORMAL METHOD PER ORDINANCE WITH THE PLANTING STRIP LOCATED AT THE BACK OF CURB AND THE SIDEWALK LOCATED INTERIOR TO THE PLANTING STRIP.

AFFORDABLE DWELLING UNIT

- a. ONE OF THE FIVE UNITS WILL BE FOR-SALE AFFORDABLE AT 80% AMI WITH A 10 YEAR RESTRICTION, OR IN ACCORDANCE WITH THE CHARLOTTE HOUSING AUTHORITY'S AFFORDABLE HOUSING GUIDELINES.

BINDING EFFECT OF THE REZONING APPLICATION

- 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON REPRESENTATIVE, SUCCESSORS IN INTEREST OR ASSIGNS.

