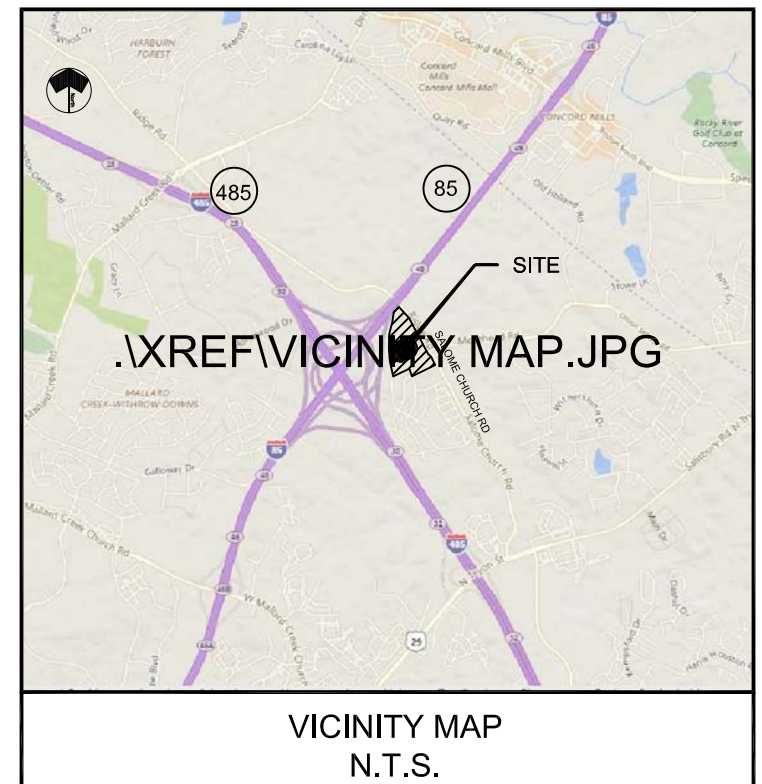


Charlotte Planning Department
APPROVED BY CITY COUNCIL
 September 16, 2019



GENERAL NOTES (for Petition #2019-039):

- DEVELOPMENT DATA TABLE**
 - A. SITE ACREAGE: ± 26.5 AC
 - B. TAX PARCEL INCLUDED IN REZONING: 02910105, 02910104, 02910180
 - C. EXISTING ZONING: COMMERCIAL (CC); PETITION # 2014-019
 - D. PROPOSED ZONING: UR-2 (CD)
 - E. EXISTING USE: VACANT
 - F. PROPOSED USE: 250 SINGLE FAMILY DETACHED & ATTACHED RESIDENTIAL UNITS AND RELATED ACCESSORY USES (MAXIMUM 175 ATTACHED UNITS)
 - G. MAXIMUM DENSITY: 9.43 DU PER AC
 - H. FLOOR AREA RATIO: PER ORDINANCE REQUIREMENT
 - I. MAXIMUM BUILDING HEIGHT: PER ORDINANCE REQUIREMENT; MAXIMUM WILL BE 48'
 - J. 5 YEAR VESTING
 - K. PARKING SPACES: PER ORDINANCE REQUIREMENT
- GENERAL PROVISIONS**
 - A. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE. ONLY SINGLE FAMILY DETACHED UNITS WILL BE ALLOWED ADJACENT TO THE EXISTING MALLARD LAKE SUBDIVISION.
 - B. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
 - C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS", SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
- PURPOSE**

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A RESIDENTIAL DEVELOPMENT CONSISTING OF BOTH SINGLE FAMILY AND TOWNHOME UNITS. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE UR-2 (CD) DISTRICT. THE PETITIONER REQUESTS THE APPROVAL OF A FULL 5 YEAR VESTING PERIOD.
- PERMITTED USES**

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY DETACHED AND ATTACHED DWELLING UNITS, AMENITY AREA, AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE UR-2 DISTRICT.
- TRANSPORTATION**
 - A. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT TO BE CONSTRUCTED ON THIS SITE, THE PETITIONER AGREES TO DEDICATE IN FEE SIMPLE TITLE TO NCDOT A MINIMUM OF FIFTY FEET RIGHT-OF-WAY, AS MEASURED FROM THE EXISTING CENTERLINE OF SALOME CHURCH ROAD, ALONG THE SITE'S FRONTAGE.
 - B. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR 40TH BUILDING ON THIS SITE, PETITIONER AGREES TO INSTALL 2.5' CURB AND GUTTER AT A LOCATION 30 FEET AS MEASURED FROM THE ROAD'S EXISTING CENTERLINE, 6' PLANTING STRIP, AND 12' MULTI-USE PATH ALONG THE PROJECT'S FRONTAGE ON SALOME CHURCH ROAD. TO BE MORE SPECIFICALLY IDENTIFIED DURING THE FINAL DESIGN AND PERMITTING OF THE PROJECT, THE PETITIONER SHALL COMMIT TO ASYMMETRIC OR SYMMETRIC OFFSITE ROADWAY IMPROVEMENTS, TO PROVIDE TWO 11' WIDE SOUTHBOUND TRAVEL LANE, ONE NORTH BOUND TRAVEL LANE, AND A NORTH BOUND 11' LEFT TURN LANE INTO THE SITE WITH 100' OF STORAGE AND A 100' TAPER, AT THE PROJECT ENTRANCE.
 - C. SITE WILL HAVE ACCESS VIA TWO PUBLIC STREETS; SALOME CHURCH ROAD & PORTER CREEK ROAD, GENERALLY AS SHOWN ON SITE PLAN.
 - D. THE PETITIONER COMMITS TO IMPLEMENTING TRAFFIC CALMING MEASURES, INCLUDING THREE (3) SPEED BUMPS, STOP SIGNS, AND 25 MPH SPEED LIMIT SIGN WITHIN THE SUBDIVISION. THESE DEVICES WILL BE FUNDED BY THE PETITIONER AND THEIR PLACEMENT WILL BE DETERMINED DURING THE PERMITTING PROCESS.
 - E. PLACEMENT AND CONFIGURATION OF VEHICULAR ACCESS POINTS ARE SUBJECT TO MINOR MODIFICATIONS TO ACCOMMODATE FINAL SITE DEVELOPMENT PLANS AND ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - F. ALL PROPOSED PUBLIC STREETS SHALL BE SUBJECT TO USDG STANDARD U-02 (MODIFIED) WITH 11' TRAVEL LANE, 2' VALLEY GUTTER, 8' PLANTING STRIP, AND 6' SIDEWALK, AND WILL COMPLY WITH SUBDIVISION ORDINANCE.
 - G. THE PROPOSED RESIDENTIAL HAMMERHEADS SHALL BE PER CITY CLDS #11.18A WITH 74' - 160' MINIMUM IN LENGTH.
 - H. THE PETITIONER AGREES TO DEDICATE IN FEE SIMPLE CONVEYANCE OF RIGHT OF WAYS TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. A SIDEWALK UTILITY EASEMENT WILL BE PROVIDED 2' BEHIND BACK-OF-SIDEWALK
- ARCHITECTURAL STANDARDS**

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE UR-2 DISTRICT AND WITH THE FOLLOWING ADDITIONAL STANDARDS:

 - A. BUILDING MATERIALS FOR THE BUILDINGS CONSTRUCTED ON THE SITE MAY INCLUDE THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING, VINYL, WIFS, OR WOOD.
 - B. PITCHED ROOFS, IF PROVIDED, WILL BE NO LESS THAN 5:12 EXCEPT THE ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12 UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
 - C. DUMPSTER AND RECYCLING AREAS, IF PROVIDED, WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A GATE. WALL OR FENCE SHALL BE COMPATIBLE WITH COLORS OF PRINCIPLE BUILDINGS.
 - D. ALL HOME AND TOWNHOME UNITS SHALL INCLUDE A COVERED STOOP OR FRONT PORCH.
 - E. ALL CORNER END UNITS THAT FACE A PUBLIC STREET SHALL HAVE A TRIM BAND DETAIL IN THE GABLE AND A COMBINATION OF WINDOWS AND/OR FALSE WINDOWS ON THE SIDE ELEVATION THAT FACES THE STREET.
 - F. GARAGE DOORS VISIBLE FROM PUBLIC STREETS SHALL HAVE WINDOWS AND CARRIAGE STYLE HARDWARE TO MINIMIZE THE VISUAL IMPACT.
 - G. WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC STREETS.
 - H. TOWNHOUSE BUILDINGS SHOULD BE LIMITED TO 6 UNITS OR FEWER.
- STREETScape AND LANDSCAPING**
 - A. SCREENING SHALL BE PROVIDED PER ORDINANCE REQUIREMENTS.
 - B. 40' WIDTH SETBACK/ BUFFER ALONG THE INTERSTATE SHALL BE SCREENED WITH 5 TREES AND 20 SHRUBS PER 100 LF. BMP'S CAN BE ENCRoACHED IN THE LANDSCAPED SCREENING PROVIDED THE PLANTING REQUIREMENTS ARE MET.
- ENVIRONMENTAL FEATURES:**
 - A. 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.
 - B. TREE SAVE AREAS ON THE SITE WILL BE PROVIDED IN CONFORMANCE WITH THE CHARLOTTE TREE ORDINANCE OF 15% OF THE SITE AREA. ALL OTHER PROVISIONS OF THE TREE ORDINANCE WILL BE MET.
 - C. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE.
- PARKS, GREENWAYS, AND OPEN SPACE**

THE PETITIONER SHALL PROVIDE THE AMENITY AS GENERALLY DEPICTED ON THIS PLAN, 10,000 SF AREA MINIMUM.
- FIRE PROTECTION**

RESERVED
- SIGNAGE**

RESERVED
- LIGHTING**

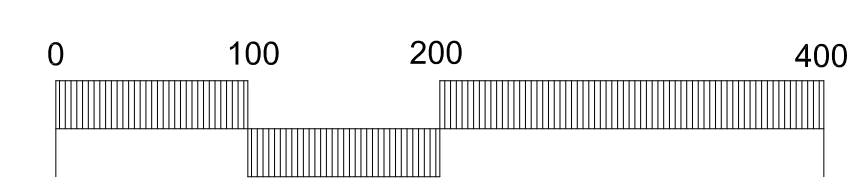
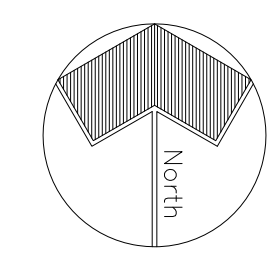
A. RESERVED
- PHASING**
 - A. SITE WILL BE DEVELOPED IN PHASES.

Project Manager
HVN
 Drawn By
CE
 Checked By
LRM
 Date: 3/19/2019
 REV.1: 05/13/2019; REV.2: 07/16/2019
 Project Number
19007



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 landscape architecture, civil engineering
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 NC Eng. Firm License # C-0560

PETITION #2019-039
MALLARD CREEK NEIGHBORHOOD
 CHARLOTTE, NORTH CAROLINA
 DEPENDABLE DEVELOPMENT, INC.



Scale: 1" = 100'

RZ-1

Rezoning Transportation Analysis

Petition Number: 2019-039

General Location Identifier: 02910104, 02910180, 02910105

From: Felix Obregon, PE
fobregon@charlottenc.gov
704-432-5729

Reviewer: Rick Grochoske, PE
rgrochoske@charlottenc.gov
704-432-1556

Revision Log:

Date	Description
04-22-2019	First Review
05-20-2019	Second Review

DPR Response Letter: 2019-07-16

General Review Information

The site's access is from Salome Church Road (a major thoroughfare and state-maintained) and Porter Creek rd. The site is in a corridor outside Route 4, within the limits of the Northeast Area Plan, and Charlotte's ETJ.

CDOT's review of this rezoning petition is intended to ensure consistency with the Transportation Action Plan (TAP) which seeks to ensure that the City's transportation network supports current and future land uses and includes streets that provide safe and comfortable mobility for motorists, pedestrians, bicyclists, and transit users.

This document is primarily for communication to Planning Department staff as part of the overall City staff analysis of the rezoning petition and includes an overall summary of the case from a transportation perspective, information on trip generation, and resolved or outstanding site plan concerns. Additional advisory information about the driveway permit process is provided for information only.

Based on our review of the petition, we offer the following information for your consideration.

Transportation Summary

The site is served by a major thoroughfare. The site plan commits to internal street network connectivity. CDOT continues to request the petitioner to provide the necessary infrastructure improvements along Salome Church Road to meet the vehicular, bicycle and pedestrian needs being generated by the development.

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	NA	0	Tax Record
Entitlement with Current Zoning	Apartments	380 dwellings	2,830	RZ 2014-019
Proposed Zoning	Single Family Apartments	75 dwellings 175 dwellings	2,080	Site Plan: 05-13-19

Outstanding Issues

Strikeout = Not an outstanding issue

Rezoning Transportation Analysis

Petition Number: 2019-039

General Location Identifier: 02910104, 02910180, 02910105

1. **Curbline:** The proposed zoning district has a setback measured from back of the existing or proposed future right-of-way line. The location of the future back-of-curb for:
 - Salome Church Road – 30 feet as measured from the road's existing centerline. The petitioner should update the site plan to commit to construct the curb and gutter at the location mentioned above. The site plan should label and dimension the curb and gutter from the road centerline.
2. ~~**Traffic Study:** A Traffic Impact Study is not necessary for the complete review of this petition.~~
3. The petitioner should revise the site plan and conditional note(s) to specify and implement a 12' multi-use path, 8' planting strip, and 2.5' curb and gutter along the site's Salome Church Road frontage and extending to the I-85 bridge.
4. ~~The petitioner should revise the site plan and conditional note(s) to dedicate in fee simple a minimum 50' right-of-way along the site's Salome Church Rd. frontage as measured from the road's existing centerline.~~
5. **Comment revised.** The petitioner should revise the site plan and conditional note(s) to commit to ~~asymmetric~~ **symmetric** off-site roadway improvements, to provide two 11' wide southbound travel lanes, **one north bound travel lane**, and a northbound 11' left turn lane on Salome Church Rd. at the proposed access location. The left turn lane should provide 100' of storage capacity and a 100' bay taper.

DPR Response: Done. See revised Note. We added "asymmetric or symmetric" per our agreement at the meeting w/ Rick, Eric.
6. ~~The petitioner should revise the site plan and conditional note(s) to include the proposed public street connection to existing Porter Creek Road.~~
7. **Comment revised.** The petitioner should revise the site plan and conditional note(s) to specify and provide an 8' planting strip and ~~(6')~~ 8' sidewalk throughout the entire subdivision. Also, the 8' planting strips and ~~(6')~~ sidewalks along the site's proposed southern public street need to be extend to Salome Church Rd's 12' multi-use path. ~~This pedestrian connection will provide a direct pedestrian/bike connection to Salome Church Rd. and provide pedestrian access to Stoney Creek Elementary.~~

DPR Response: Done. See revised Note.
8. ~~The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests a sidewalk utility easement at 2' behind back-of-sidewalk.~~
9. **New Comment:** The petitioner should revise the site plan's note 5.B, to specify that **all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.**

DPR Response: Done. See revised Note. CDOT & Petitioner agreed on 40th Building CO.
10. ~~The petitioner should revise site plan note 5D to state the petitioner commits to implementing traffic calming measures, including three (3) speed humps, stop signs, and 25 mph speed limit signs within the subdivision. These devices will be funded by the petitioner and their placement will be determined during the permitting process.~~
11. ~~The petitioner should revise the site plan to implement on-street recessed parking on both sides of the proposed public street that fronts the possible amenity area. Accessible on-street parking spaces should also be provided on both sides of the proposed public street.~~

Rezoning Transportation Analysis

Petition Number: 2019-039

General Location Identifier: 02910104, 02910180, 02910105

Advisory Information

The following are requirements of the developer that must be satisfied prior to driveway permit approval. We recommend that the petitioner reflect these on the rezoning plan as-appropriate.

1. According to the City of Charlotte's Driveway Regulations, CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte.
2. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' sight triangles (and two 10' x 70' sight triangles on North Carolina Department of Transportation on NCDOT maintained streets) are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s). Such items should be identified on the site plan.
3. The proposed driveway connection(s) to public streets will require a driveway permit(s) to be submitted to CDOT (and the North Carolina Department of Transportation on NCDOT maintained streets) for review and approval. The exact driveway location(s) and type/width of the driveway(s) will be determined by CDOT during the driveway permit process. The locations of the driveway(s) shown on the site plan are subject to change to align with driveway(s) on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
4. All proposed commercial driveway connections to a future public street will require a driveway permit to be submitted to CDOT for review and approval.
5. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
6. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.