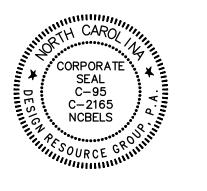




LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com



REZONING PETITION
FOR PUBLIC HEARING

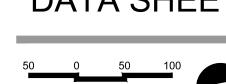
2020-048

REZONING PETITION

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ADAMS PROPER I

TECHNICAL DATA SHEET



50 0 50 SCALE: 1" = 100'

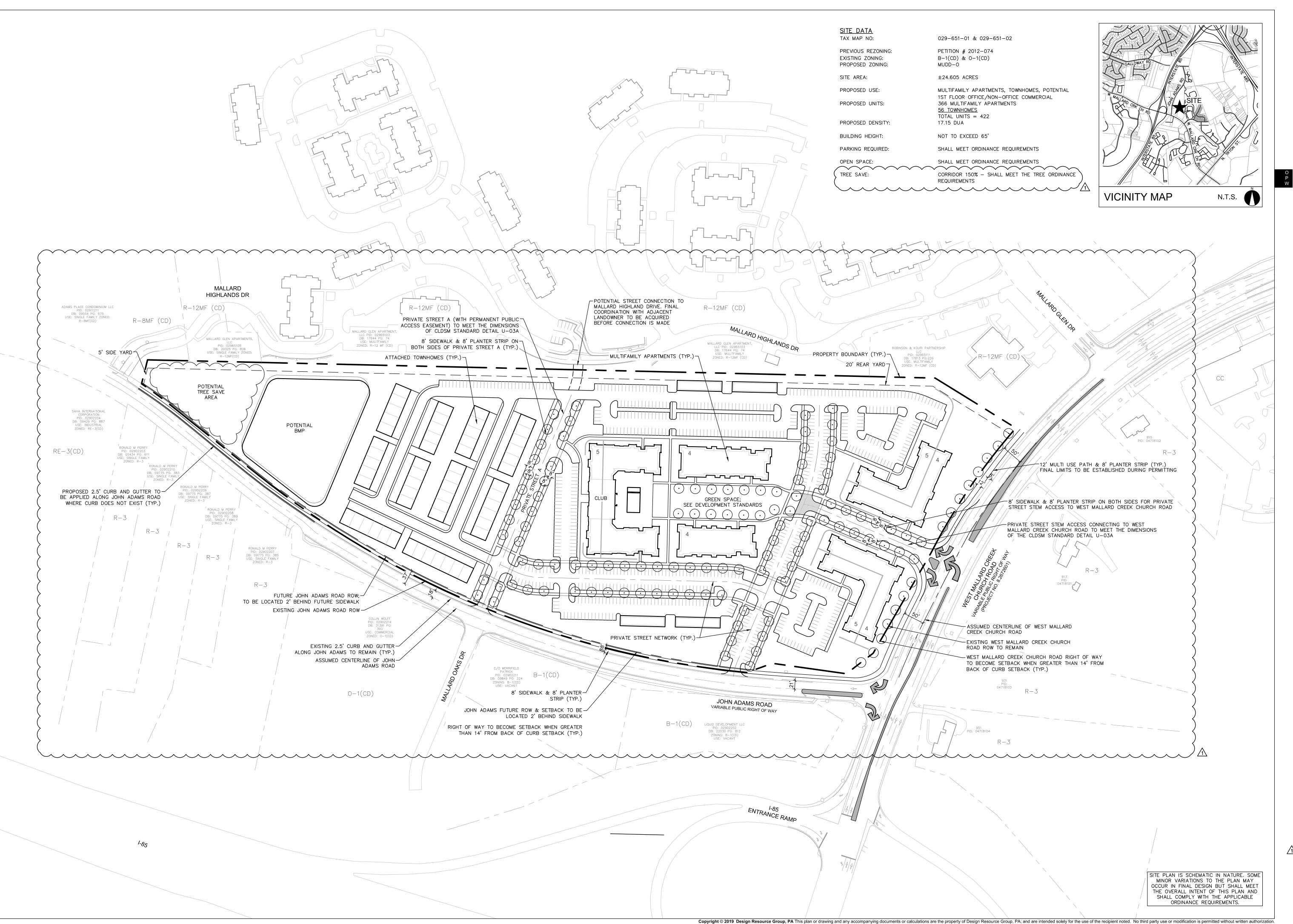
PROJECT #: DRAWN BY: CHECKED BY:

CHECKED BY:

MARCH 5, 2020

REVISIONS:

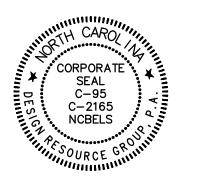
1. 05/11/20 - PER REVIEW COMMENTS





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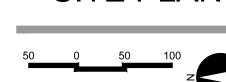


REZONING PETITION FOR PUBLIC HEARING

2020-048

REZONING PETITION

CONCEPTUAL SITE PLAN



PROJECT #: DRAWN BY: CHECKED BY:

MARCH 5, 2020

REVISIONS: 1. 05/11/20 - PER REVIEW COMMENTS SITE DEVELOPMENT DATA:
--ACREAGE: ± 24.605 ACRES

- --TAX PARCEL #: 029-651-01 AND 029-651-02
- --EXISTING ZONIWNG: B-1(CD) & O-1(CD)
- --PROPOSED ZONING: MUDD-O
 --EXISTING USES: VACANT
- --PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, AND UP TO 10,000 SQUARE FEET OF OFFICE AND NON-OFFICE COMMERCIAL USES, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).

 --MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO 366 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND FIFTY-SIX (56) ATTACHED (TOWNHOME STYLE) UNITS, EITHER FOR SALE OR FOR RENT, AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT.
- -- MAXIMUM BUILDING HEIGHT: NOT TO EXCEED 65 FEET. HEIGHT TO BE MEASURED PER THE ORDINANCE.
- --PARKING: AS REQUIRED BY THE ORDINANCE.

1. **GENERAL PROVISIONS**:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY FLOURNOY DEVELOPMENT ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HIGH-QUALITY RESIDENTIAL COMMUNITY WITH GROUND FLOOR OFFICE AND NON-OFFICE COMMERCIAL USES ON AN APPROXIMATELY ±24.605 ACRE SITE LOCATED AT 900 AND 934 W. MALLARD CREEK CHURCH ROAD (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 CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, BUILDING AND PARKING ENVELOPES 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:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED 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 WILL BE LIMITED TO NINETEEN (19). 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(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 366 MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS, FIFTY-SIX (56) ATTACHED (TOWNHOME STYLE)
UNITS, EITHER FOR SALE OR FOR RENT, AND UP TO 10,000 SQUARE FEET OF OFFICE AND/OR COMMERCIAL USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS ABOVE TOGETHER
WITH ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT SUBJECT TO THE FOLLOWING:

i. NO SINGLE OFFICE OR COMMERCIAL SPACE SHALL BE GREATER THAN 2,500 SQUARE FEET.

ii. EDEE USES SHALL BE LIMITED TO LIMITED SERVICE RESTAURANTS.

A "LIMITED SERVICE RESTAURANT" SHALL MEAN A RESTAURANT WITH NO MORE THAN 2,000 SQUARE FEET OF GROSS FLOOR AREA SERVING PRIMARILY ITEMS THAT DO NOT REQUIRE ON-PREMISE COOKING OF FOOD (OTHER THAN HEATING, MICRO-WAVE COOKING OR SIMILAR PROCESS AND THE BAKING OF PREMIXED DOUGH).

3. <u>OPTIONAL PROVISIONS.</u>

- a. TO ALLOW PARKING AND CIRCULATION BETWEEN THE BUILDING AND THE STREET AS GENERALLY DEPICTED ON SHEET RZ-02.
- 4. ACCESS AND TRANSPORTATION IMPROVEMENTS.
- a. ACCESS TO THE SITE WILL BE FROM JOHN ADAMS ROAD AND W. MALLARD CREEK CHURCH ROAD AS GENERALLY DEPICTED ON SHEET RZ-01.
- b. PUBLIC STREET A SHALL CONNECT TO MALLARD HIGHLANDS DRIVE AS FEASIBLE AND WILL BE CONSTRUCTED TO MEET THE SUBDIVISION REGULATIONS.

c. THE ALIGNMENT OF THE 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 THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND/OR NCDOT IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

d. ALL REQUIRED ROADWAY IMPROVEMENT WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER'S ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

e. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

5. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

a. A THIRTY (30) FOOT SETBACK AS MEASURED FROM THE EXISTING AND/OR FUTURE BACK OF CURB ALONG W. MALLARD CREEK CHURCH ROAD WILL BE PROVIDED.

b. A TWENTY (20) FOOT SETBACK AS MEASURED FROM THE EXISTING AND/OR FUTURE BACK OF CURB ALONG JOHN ADAMS ROAD AND PUBLIC STREET A WILL BE PROVIDED.

c. AN EIGHT (8) FOOT PLANTING STRIP AND A TWELVE (12) FOOT SIDEWALK WILL BE PROVIDED ALONG THE SITE'S FRONTAGE ON W. MALLARD CREEK CHURCH ROAD.

d. AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED ALONG PUBLIC STREET A AND JOHN ADAMS ROAD AS GENERALLY DEPICTED.

e. THE PETITIONER WILL PROVIDE AN IMPROVED OPEN SPACE AMENITY AREA AS GENERALLY DEPICTED ON THE REZONING PLAN. THE IMPROVED OPEN SPACE AREA WILL CONTAIN A MINIMUM OF 15,000 SQUARE FEET AND WILL BE IMPROVED WITH LANDSCAPING, HARDSCAPE AREAS, WALKWAYS, SEATING AREAS, AND LIGHTING.

f. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.

g. THE PETITIONER MAY CHOOSE TO LOCATE THE REQUIRED DUMPSTER AND RECYCLING CONTAINERS OUTSIDE OF THE BUILDINGS IN DUMPSTERS OR IN A TRASH COMPACTOR. THE FINAL LOCATION OF THE TRASH HANDLING CONTAINERS TO BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS.

6. GENERAL DESIGN GUIDELINES:

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 FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD ("PROFFERED EXTERIOR BUILDING MATERIALS"). VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS. THE PROPOSED BUILDING WILL BE DESIGNED AND CONSTRUCTED SO THAT EACH BUILDING ELEVATION(S) THAT ABUT/FACE AN EXISTING OR PROPOSED PUBLIC OR PRIVATE STREET HAVE AT LEAST 25% MASONRY (INCLUDING BUT NOT LIMITED TO BRICK, STONE, PRECAST BRICK, PRECAST STONE, AND/OR STUCCO) INCLUDING WINDOWS, DOORS AND ROOFS.

b. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS, THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF LIVING AREAS); AND (II) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION, ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.

c. WHERE GROUND FLOOR CONNECTION TO UNITS IS NOT POSSIBLE AND A SHARED OR COMMON ENTRY IS USED, TRANSITION FROM THE STREET TO THE ENTRY ITSELF IS PROVIDED TO CREATE A UNIQUE SENSE OF ENTRY FOR PEDESTRIANS. THE GROUND LEVEL TRANSITIONS ARE THOUGHTFULLY DESIGNED AND INCORPORATED INTO THE OVERALL CHARACTER OF THE BUILDING AND INCLUDE ANY / ALL THE FOLLOWING: CHANGES IN GRADE OR SETBACK, STAIRS, LOW MASONRY WALLS, ORNAMENTAL RAILING, CHANGES IN PAVING MATERIAL, ADDITIONAL LANDSCAPING OR OTHER METHODS.

d. BUILDINGS ARE PLACED TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE).

e. BUILDINGS FRONT A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).

f. PROVIDE USABLE AND ACCESSIBLE OPEN SPACE AT A MINIMUM OF 1 SQUARE FOOT/100 SQUARE FEET GROSS FLOOR AREA OR 1 SQUARE FEET /200 SQUARE FEET LOT AREA, WHICHEVER IS GREATER, INCORPORATING SEATING, PLANTINGS AND/OR OTHER AMENITIES.

g. INTERNAL SIDEWALK CONNECTIONS SHALL BE PROVIDED BETWEEN MULTI—FAMILY BUILDINGS AND FROM MULTI—FAMILY BUILDINGS TO ALL PUBLICLY ACCESSIBLE ON—SITE FACILITIES (PARKING AREAS, BICYCLE FACILITIES, OPEN SPACE, ETC.) AND ANY ABUTTING OR ADJACENT GREENWAYS, BIKEWAYS, TRAILS, DEVELOPMENTS AND TRANSIT STOPS. INTERNAL SIDEWALKS SHALL BE HARD SURFACED AND AT LEAST 5 FEET IN WIDTH UNLESS CONNECTING TO FOUR UNITS OR LESS.

h. FENCES OR WALLS USED FOR SCREENING SHALL BE CONSTRUCTED IN A DURABLE FASHION OF BRICK, STONE, OTHER FINISHED MASONRY MATERIALS, WOOD SPLIT—RAIL, METAL OR OTHER MATERIALS SPECIFICALLY DESIGNED AS FENCING MATERIALS.

i. SERVICE EQUIPMENT SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE ARE SCREENED FROM VIEW FROM PUBLIC STREETS WITH LANDSCAPING AND MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN INCLUDES A MINIMUM 20% PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10 FEET IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

j. ALL ROOFTOP MECHANICAL EQUIPMENT ON BUILDINGS SHALL BE SCREENED FROM THE PUBLIC PRIMARY VIEW FROM BELOW BY INTEGRATING THE EQUIPMENT INTO THE BUILDING AND ROOF DESIGN TO THE MAXIMUM EXTENT FEASIBLE, USING PARAPET WALLS OR SIMILAR ARCHITECTURAL TREATMENTS.

k. VENTILATION GRATES OR EMERGENCY EXIT DOORS LOCATED AT THE FIRST FLOOR LEVEL IN THE BUILDING FACADE ORIENTED TO ANY PUBLIC STREET MUST BE DECORATIVE.

I. FOR PITCHED ROOFS (NOT INCLUDING DETAILS THAT MAY INCLUDE CRICKETS, TOWERS OR OTHER ELEMENTS THAT SLOPE BACK TO THE PRIMARY ROOF) THE MINIMUM (4:12), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEM 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 PETITION. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

- c. THE SITE SHALL COMPLY WITH THE TREE ORDINANCE.
- 8. <u>LIGHTING:</u>

a. ALL NEW ATTACHED AND DETACHED LIGHTING SHALL BE FULLY SHIELDED DOWNWARDLY DIRECTED AND FULL CUT OFF FIXTURE TYPE LIGHTING EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREETLIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 FEET IN HEIGHT.

9. AMENDMENTS TO THE REZONING PLAN:

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 OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

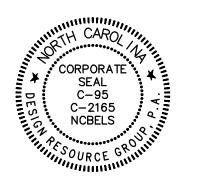
10. BINDING EFFECT OF THE REZONING APPLICATION:

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 AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



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REZONING PETITION

FOR PUBLIC HEARING

2020-048

REZONING PETITION

OPERTY

NOY DEVELOPMENT GROUND BROOKSTONE CENTRE PARKWAY

DEVELOPMENT

501-003

PROJECT #: DRAWN BY: CHECKED BY:

MARCH 5, 2020

REVISIONS:

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1. 05/11/20 - PER REVIEW COMMENTS

