# CONDITIONAL DEVELOPMENT NOTES:

**SITE DEVELOPMENT DATA:**

--**Acreage:** ± 5.92 acres
--**Tax Parcel #s:** 213-371-01 and 213-076-52
--**Existing Zoning:** R-3
--**Proposed Zoning:** UR-2(CD)
--**Existing Uses:** Residential
--**Proposed Uses:** Residential dwellings units as permitted by right, and under prescribed conditions, together with accessory uses, as allowed in the UR-2 zoning district (all as more specifically described and restricted below in Section 3).
--**Maximum Number of Residential Dwelling Units:** Up to 45 attached dwelling units (townhomes for sale) as allowed by right and under prescribed conditions in the UR-2 zoning district. Either 400 square feet of Private Open Space per dwelling unit on each sublot, or (ii) ten percent (10%) of the Site shall be provided as Useable Common Open Space.
--**Maximum Building Height:** Up to 44 feet. Height to be measured per the Ordinance; any increase in building height above 40 feet will comply with Section 9.8(8)(C)(3).
--**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 Fielding Homes/DRB Group ("Petitioner") to accommodate the development of a high quality residential community on an approximately 5.92 acre site located at the northeast intersection of Providence Road and Alexander 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 UR-2(CD) zoning classification shall govern all development taking place on the Site.

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 12. 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 45 attached dwelling units (townhomes for sale) as permitted by right, and under prescribed conditions above together with accessory uses allowed in the UR-2(CD) zoning district.

b. The proposed residential community will provide either: (i) 400 square feet of Private Open Space per dwelling unit on each unit Sublot; or (ii) ten percent (10%) of the Site shall be provided as Useable Common Open Space.

c. A portion of the Site, approximately .50 acres, located on the eastern boundary of the Site and containing a portion of an existing pond may be dedicated conveyed to the adjoining property owner. If the area is not dedicated/conveyed to the adjoining property owner, the area will be used as common open space for the development. The portion of the existing pond located in this area may be preserved, or may be removed under either scenario described above.

**3. Access and Transportation.**

a. Access to the Site will be from Providence Road.
b. Vehicular access to the site shall be as generally depicted on the rezoning plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Charlotte Department of Transportation (CDOT) and NCDOT.
c. The design of the driveway into the Site from Providence Road will include a minimum of a 100-foot driveway stem as measured from the Providence Road right-of-way to the first internal intersection (private street or driveway) as generally depicted on the Rezoning Plan.
d. As depicted on the rezoning plan, the site will be served by internal private streets, and minor adjustments to the location of these streets shall be allowed during the construction permitting process in coordination with CDOT.
e. Petitioner shall provide internal sidewalks and pedestrian connections on the site as generally depicted on the rezoning plan internal sidewalks may meander to save existing trees
f. Petitioner shall dedicate all rights-of-way where necessary, in fee simple conveyance to the City of Charlotte prior to the issuance of the site's first building certificate of occupancy.
g. Unless stated otherwise herein, the petitioner shall ensure that all transportation improvements are substantially completed prior to the issuance of the site's first building certificate of occupancy.
h. The Petitioner will dedicate via fee simple conveyance 50 feet of right-of-way as measured from the existing center line of Providence Road. 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 Providence or Alexander located outside of the existing or proposed right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
i. The Petitioner will construct all required roadway improvements and provide any required sidewalk and utility easements needed for these improvements prior to the issuance of the first certificate of occupancy, subject to the Petitioner's ability to request that CDOT and NCDOT allow a bond to be post for any roadway improvements not finalized at the time of the issuance of the first certificate of occupancy, as allowed by City regulations.

**4. Streetscape, Buffer, Landscaping Open Space and Screening:**

a. Along Providence Road the setback will be the existing and future right-of-way line or 30-feet from the existing back of curb whichever is greater as generally indicated on the Rezoning Plan. Porches and stoops may encroach up to six (6) feet on the setback along Providence Road.
b. Along Alexander Road a minimum of a 25-foot setback from the existing back of curb will be provided as generally depicted on the Rezoning Plan. Porches and stoops may encroach up to six (6) feet on the setback along Alexander Road.
c. The petitioner will construct an eight (8) foot planting strip and an eight (8) foot sidewalk along Providence Road, and a six (6) foot sidewalk and an eight (8) foot planning strip along Alexander Rd as generally depicted on the Rezoning plan. A portion of the planting strip along Providence Road may be reduced due to existing topography and an existing guardrail as generally depicted on the Rezoning Plan.
d. A sidewalk connection from each unit will front on Providence or Alexander Road will be provided as generally depicted on the Rezoning Plan.
e. A 40 setback will be provided along the eastern property line to the building with unit # 29 and a 50 foot side and rear yard setback will be provided to the building with unit # 22 along the northern and eastern property line as generally depicted on the Rezoning Plan.
f. A 50-foot setback shall be provided along the eastern property line as generally depicted on the Rezoning Plan. A 6-foot tall solid privacy fence shall also be provided as part of this buffer in lieu of shrubs, the location of the fence within the buffer may vary to save existing vegetation but will generally be located at or near the property line, except that along the eastern property line where the proposed fence will be located no more than half-way through the buffer as generally depicted on the Rezoning Plan. If a fence is not provided the width of the buffer will be increased to 34 feet and shrubs will be placed on top of the berm. The number of trees and shrubs required will be based on the width of the buffer.
g. Useable Common Open Space areas will be provided and improved as required by the Ordinance (i.e. improved with planting, seating, and/or other amenities).

**5. Architectural Standards:**

a. The residential dwelling units will have slab foundations. The foundations will be parged foundations colored to blend with the color schemes of the residential dwelling units.
b. The actual sizes of the residential dwelling units/lots may vary from the sizes depicted on the Rezoning Plan.
c. Each residential dwelling unit constructed on the Site shall have a garage
d. To provide privacy, all residential entrances within 15 feet of the sidewalk along Providence and Alexander Road must be raised from the average sidewalk grade a minimum of 12 inches. This standard will not apply to units that due to existing topography are located below the existing grade of Providence Road
e. 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.
f. Usable porches and/or stoops shall form a predominant feature of the building design and be located on the front and/or side of the building when possible. Usable front porches, when provided, should be covered and be at least 5 feet deep. Stoops and entry level porches may be covered but should not be enclosed. Stoops are not required to be 5' minimum depth but shall have a covering over the entry door. Porches and stoops fronting on the interior private streets and parking areas will be located behind the sidewalk. Units with frontage only on the internal parking areas or private drives are not required to provide a porch or a stoop.
g. For units that have frontage on Providence Road or Alexander Road and that are also provided with a direct sidewalk connection to Providence or Alexander Road a porch or stoop will be located on the building elevation facing Providence or Alexander Road.
h. Corner/end units fronting public streets shall have enhanced side elevations with a front or rear stoop and/or porch or otherwise provide windows or other architectural details to limit the maximum blank wall expanse to 20 feet on each level of the unit. If a porch is utilized, it may be located on the second story of such unit. Landscaping, which shall include a minimum of (3) 5' tall evergreen trees, may be used to meet this requirement on the 1st floor.
i. The front elevation of each dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 15 feet on each level of the dwelling unit.
j. Garage doors visible from public or private streets should minimize the visual impact by providing additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
k. Walkways should be provided to connect all residential entrances to sidewalks along public and private streets.
l. Residential buildings that are adjacent to and front a public street shall not contain more than 5 individual single family attached dwelling units. This requirement shall not apply to buildings that do not front a public street or buildings that are adjacent and perpendicular to a public street.
m. The primary exterior building materials for buildings constructed on the Site will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
n. Vinyl, EIFS or masonite may not be used as an exterior building material on any buildings constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings. Additionally, aluminum may be used on trim and garage doors.
o. Roof overhangs, eaves, cornices, chimneys, gutters, vents, bay windows, pilasters, pillars, open porches (if provided), and other architectural elements may project up to twenty-four (24) inches into the required setbacks.

**6. Environmental Features:**

a. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. 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 to accommodate actual storm water treatment requirements and natural site discharge points.

b. For adjoining parcels receiving storm water discharge the Petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to and including Providence Road. If the existing storm water conveyance is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.

c. The existing pond located on the Site will be preserved as generally depicted on the Rezoning Plan or dedicated to adjacent owners whose property also includes the pond.

c. The Site will comply with the Tree Ordinance. The final location of the required tree save areas will be determined during the land development approval process for the Site. Tree save areas will comply with the requirements of the Tree Ordinance.

**7. Lighting:**

a. All freestanding lighting fixtures installed on the site greater than twenty one (21) feet in total height (i.e., excluding decorative lighting less than 21' in height that may be installed along the driveways and sidewalks as pedestrian/landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed.

b. The Petitioner will work with CDOT and NCDOT to provide pedestrian scale lighting fixtures along the Site's Providence Road and Alexander Road frontages. The location and number will be determined during the land development approval process for the Site. The Petitioner will contact the appropriate CDOT representative to attain and coordinate pedestrian lighting recommendations.

**8. CATS:**

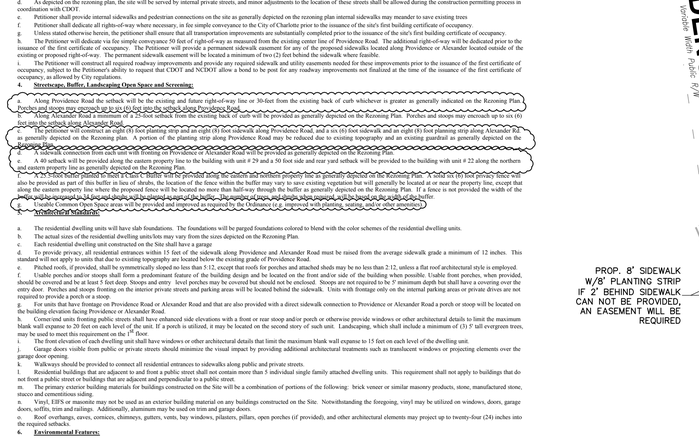
a. The Petitioner shall provide an ADA compliant bus passenger waiting pad on Providence Road subject to CATS approval. The exact location shall be determined during the City's Land Development permitting process and will be reviewed and coordinated with NCDOT. The location of the bus passenger waiting pad will allow for a connected to the proposed sidewalk along Providence Road to provide a safe pedestrian access to the intersection of Providence and Alexander Road.

**9. Amendments to the Rezoning Plan:**

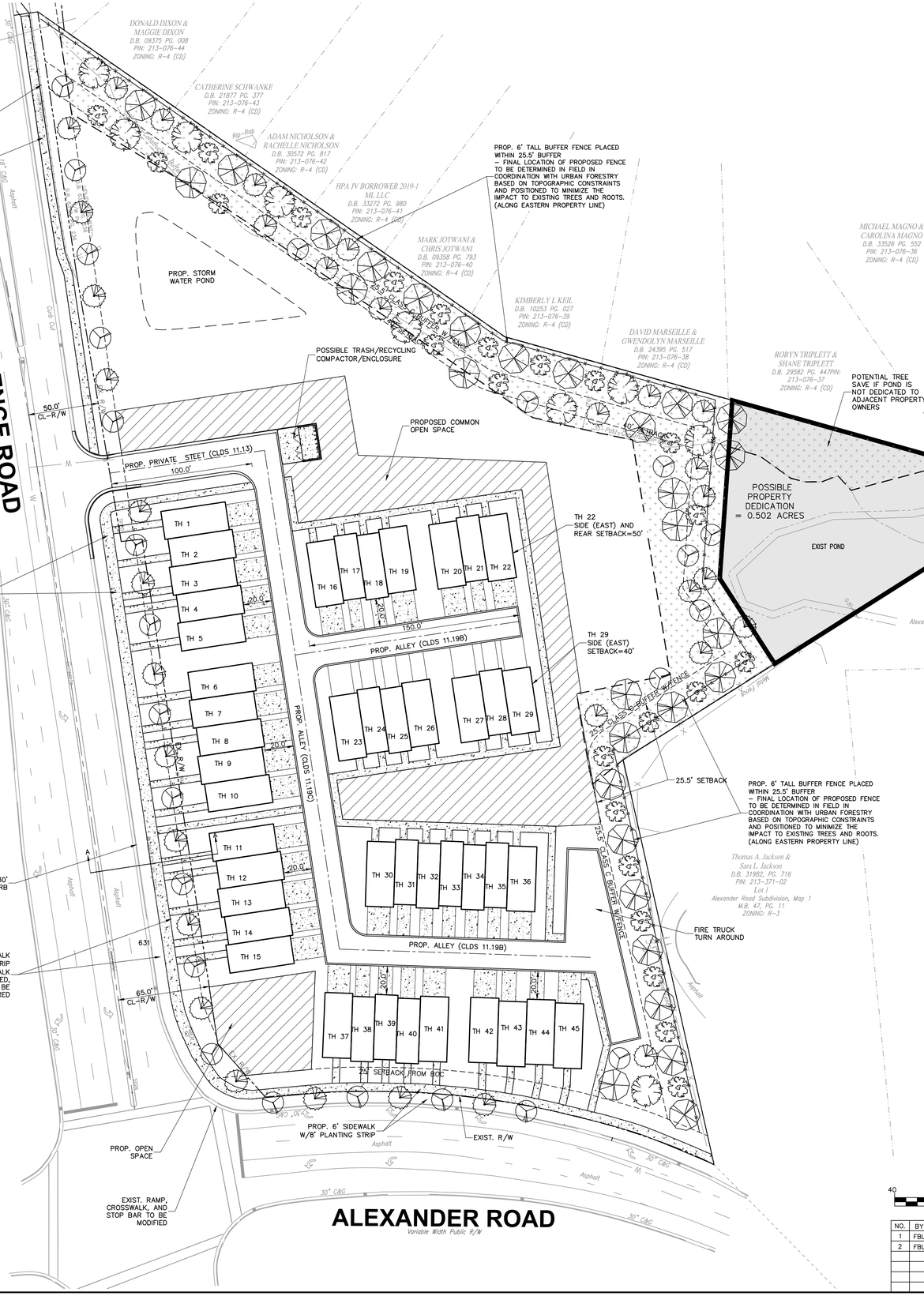
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable development area or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

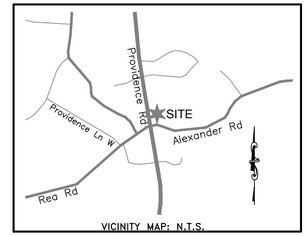
**10. Binding Effect of the Rezoning Application:**

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.




PROVIDENCE ROAD X-SECTION
(SECTION A-A)




VICINITY MAP: N.T.S.

ADDITIONAL DATA:

--MINIMUM SEPARATION BETWEEN BUILDINGS TO BE 10'

SITE AREA = 257,875 S.F. / 5.92 ACRES (TOTAL PARCEL)
SITE AREA AFTER PROPERTY DEDICATION = 5.42 ACRES
15% TREE SAVED REQUIRED (IF PROPERTY IS DEDICATED) = 236,095 X 15% = 35,414 S.F.
TREE SAVE PROVIDED = 36,000 S.F. PRESERVED
15% TREE SAVE REQUIRED (IF PROPERTY IS NOT DEDICATED) = 257,875 X 15% = 38,682 S.F.
TREE SAVE PROVIDED = 39,000 S.F.
*TREE SAVE PROVIDED IS APPROXIMATE AND MAY CHANGE BASED FINAL PLAN

COMMON OPEN SPACE: MIN. AREA= 25,788/0.59 S.F./AC.
* CONFIGURATION OF COMMON OPEN SPACE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. FINAL CONFIGURATION TO BE DETERMINED AS PART OF SITE DEVELOPMENT PERMIT PROCESS.

--MINIMUM BUILDING SEPARATION TO BE 10' TO TREE SAVE AREA

FIRE DEPARTMENT NOTES:

1. FIRE DEPARTMENT ACCESS ROAD SHALL HAVE A MINIMUM OF 20' UNOBSTRUCTED CLEAR WIDTH AND SHALL BE CAPABLE OF SUPPORTING 80,000 LBS.
2. TURN RADIUS 30' INSIDE AND 42' OUTSIDE
3. FOR NON-SPRINKLERED BUILINGS, FIRE DEPARTMENT MUST BE ABLE TO REACH 150' TO ALL EXTERIOR PORTIONS OF BUILDING.
4. FOR SPRINKLERED BUILDINGS, FIRE DEPARTMENT MUST BE ABLE TO REACH 200' TO ALL EXTERIOR PORTIONS OF A BUILDING.
5. FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF BUILDING AS TRUCK TRAVELS FOR ALL BUILDINGS.

PRELIMINARY
FOR REVIEW PURPOSES ONLY

REZONING PETITION #:2020-103

GRAPHIC SCALE
40 0 20 40 80
1 INCH = 40 FEET

| NO. | BY | DATE | REVISION |
|---|---|---|---|
| 1 | FBL | 1/11/21 | PER CITY COMMENTS |
| 2 | FBL | 2/8/21 | PER CITY COMMENTS |

Project: PROVIDENCE ROAD
6633 PROVIDENCE RD., CHARLOTTE, NC
Title: REZONING PLAN

File #: 20010-RZ.DWG | Date: 10/12/20 | Project Egr: FBL | Design By: FBL | Drawn By: FBL | Scale: 1"=40'

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