

REZONING PETITION

FOR PUBLIC HEARING

2020-107

REZONING DOCUMENT

BRIAR CREEK
CHARLOTTE, NORTH CAROLINA

THE DRAKEFORD COMPANY
1914 BRUNSWICK AVENUE SUITE 1A
CHARLOTTE, NORTH CAROLINA 28207

SCHEMATIC
SITE PLAN

SCALE: 1" = 30'

PROJECT #: 090-037
DRAWN BY: JO
CHECKED BY: NB

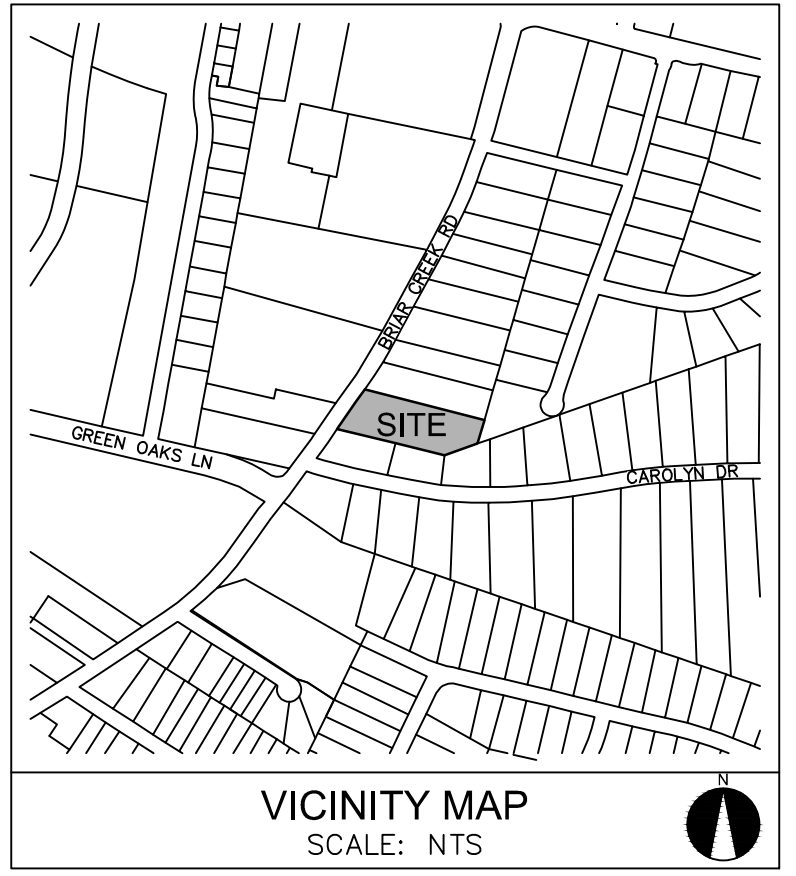
JULY 31, 2020

REVISIONS:
1. 09/25/20 - PER REVIEW COMMENTS
2. 12/28/20 - PER REVIEW COMMENTS



SITE DATA

TAX MAP NO:	12906110
SITE AREA:	±1.30 AC
CURRENT ZONING:	R-4
PROPOSED ZONING:	R-8 (CD)
EXISTING USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED UNITS:	3 UNITS
DENSITY:	2.30 DU/A
BUILDING HEIGHT:	SHALL MEET ORDINANCE REQUIREMENTS
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE REQUIRED:	10% - SHALL MEET ORDINANCE REQUIREMENTS



DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS

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.

THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, 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.

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.

B. PURPOSE

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A SINGLE FAMILY DETACHED COMMUNITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE R-8 DISTRICT.

C. PERMITTED USES

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY DETACHED HOMES AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE R-8 (CD) DISTRICT.

D. TRANSPORTATION

- 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 TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- PARKING AREAS ARE GENERALLY INDICATED ON THE REZONING PLAN BY INTERNAL HOME GARAGES SURFACE DRIVEWAY PARKING.
- THE PETITIONER WILL INSTALL AN 8' PLANTING STRIP AND 6' SIDEWALK ALONG BRIAR CREEK ROAD AS APART OF THE DEVELOPMENT OF THE SITE.
- PETITIONER SHALL DEDICATE ALL RIGHT-OF-WAY IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. IF IT IS NOT FEASIBLE TO EXTEND THE RIGHT OF WAY TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALKS TO BE INSTALLED ALONG THE SITE'S FRONTAGE ON BRIAR CREEK ROAD, THEN THE SIDEWALKS MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

5. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

E. ARCHITECTURAL STANDARDS

- THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE R-8 (CD) DISTRICT AND BY THE FOLLOWING STANDARDS.
- PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS, IF PROVIDED, MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED. SHINGLES WILL BE ARCHITECTURAL GRADE.
- EXTERIOR MATERIALS WILL BE RESTRICTED TO THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), OR WOOD.
- VINYL MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.

F. STREETScape AND LANDSCAPING

- A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S PUBLIC STREET FRONTAGE OF BRIAR CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- THE SIDEWALKS DESCRIBED ABOVE IN PARAGRAPH 1 MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- FUTURE CURB AND GUTTER WILL BE LOCATED 21.5' FROM THE EXISTING BRIAR CREEK CENTER LINE ALONG THE SITE FRONTAGE AS SHOWN ON THE REZONING PLAN. A 5' BIKE LANE WITH 3' BUFFER WILL BE INCORPORATED ALONG THE SITE FRONTAGE AS SHOWN ON THE REZONING PLAN.

G. ENVIRONMENTAL FEATURES

- THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.
- THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE REQUIREMENTS.
- FOR ADJOINING PARCELS RECEIVING STORM WATER DISCHARGE THE PETITIONER SHALL ANALYZE THE ADEQUACY OF THE EXISTING STORM WATER CONVEYANCE ON THE ADJOINING PARCELS TO THE NEAREST CITY MAINTAINED RIGHT-OF-WAY. IF THE EXISTING STORM WATER CONVEYANCE ON THE ADJOINING PARCELS 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.

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 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.
- 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.
- 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 APPROVED.