

REZONING PETITION

FOR PUBLIC HEARING

2020-144

REZONING DOCUMENT

PEGRAM SITE
CHARLOTTE, NORTH CAROLINA

HOPPER COMMUNITIES
1616 CLEVELAND AVENUE
CHARLOTTE, NC 28203

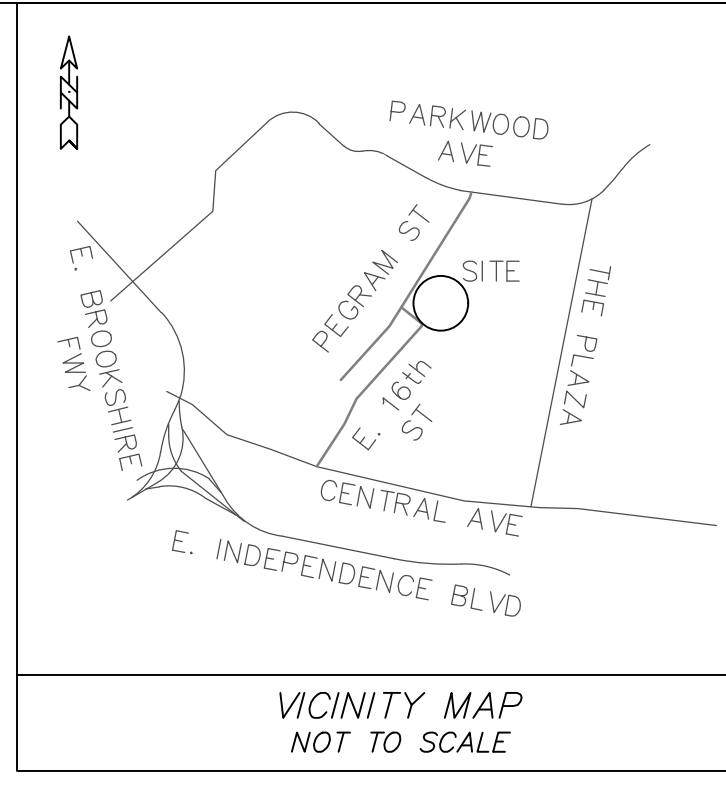
SCHEMATIC
SITE PLAN

10 0 10 20
SCALE: 1" = 20'

PROJECT #: 598-016
DRAWN BY: JO
CHECKED BY: NB

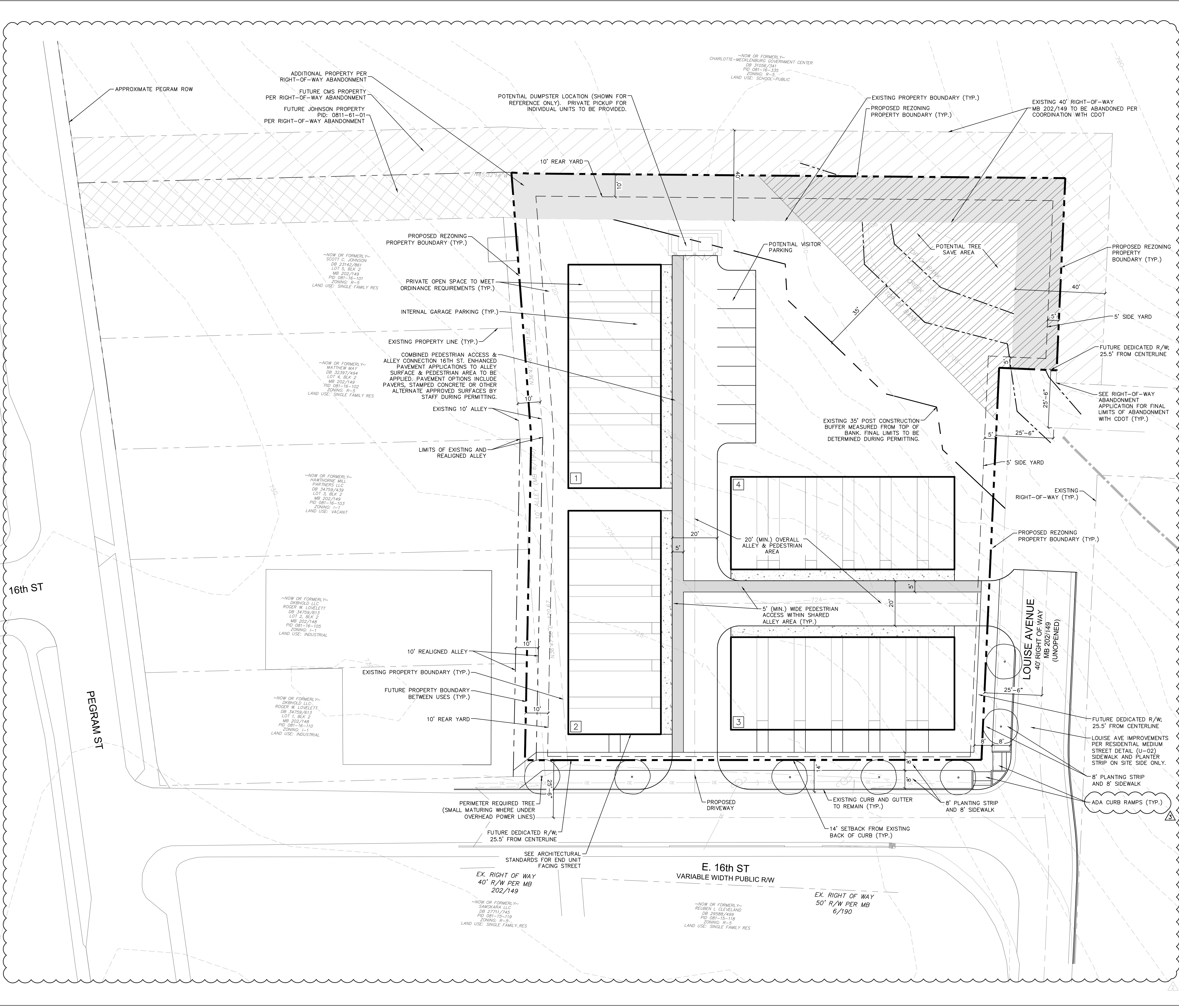
AUGUST 21, 2020

REVISIONS:
1. 12.14.20 - PER STAFF COMMENTS
2. 06.08.21 - PER SITE UPDATES
3. 08.16.21 - PER SITE UPDATES



SITE DATA: AREA 1

TAX PARCEL NO:	081-161-06, 081-161-07, 081-161-08, 081-161-09 & PORTIONS OF 08116110, 08116105, & 08116103
PROPOSED SITE AREA:	±1.285 AC (±55,980 SF) (TO CENTER OF ALLEY)
CURRENT ZONING:	R-5 AND R-17MF
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	SINGLE FAMILY RESIDENTIAL AND VACANT
PROPOSED USE:	SINGLE FAMILY ATTACHED (TOWNHOMES)
PROPOSED UNITS:	24 UNITS
DENSITY:	±18.67 DUA
BUILDING HEIGHT:	49' MAX.
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS



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A. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY HOPPER COMMUNITIES TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 1.285 ACRE SITE LOCATED ON THE NORTH SIDE OF EAST 16TH STREET BETWEEN PEGRAM STREET AND LOUISE AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN. THE SITE IS COMPRISED OF TAX PARCEL NOS. 081-161-08, 081-161-06, 081-161-09 AND 081-161-07 AND PORTIONS OF TAX PARCEL NOS. 081-161-03, 081-161-05 AND 081-161-10.
- THE DEVELOPMENT AND USE 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").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL PRIVATE ALLEYS OR DRIVES AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES/DEVELOPMENT LIMITATIONS

- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 24 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT.

C. 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 ("CDOT").
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE ALLEYS AND/OR DRIVES. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE ALLEYS AND/OR DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

- A 10 FOOT WIDE ALLEY THAT RUNS NORTH FROM EAST 16TH STREET TO THE UNOPENED RIGHT OF WAY TO THE NORTH OF THE SITE IS LOCATED WITHIN AND ADJACENT TO THE SITE AS DEPICTED ON THE REZONING PLAN. PETITIONER INTENDS TO REALIGN A PORTION OF THE SOUTHERN PORTION OF THIS ALLEY (THAT PORTION THAT IS LOCATED ENTIRELY WITHIN THE SITE) AS SHOWN ON THE ALLEY EXHIBIT ON THE REZONING PLAN. THE REALIGNED ALLEY WILL HAVE A MINIMUM WIDTH OF 10 FEET AND IT SHALL CONNECT EAST 16TH STREET TO THAT PORTION OF THE ALLEY THAT IS NOT BEING REALIGNED AS SHOWN ON THE ALLEY EXHIBIT. TO ACCOMPLISH THE REALIGNMENT OF A PORTION OF THE SOUTHERN PORTION OF THE ALLEY, PETITIONER AND THE RELEVANT ADJACENT PROPERTY OWNERS WILL SUBMIT A PETITION TO CDOT REQUESTING THE ABANDONMENT AND CLOSING OF THE RELEVANT PORTION OF THE SOUTHERN PORTION OF THE ALLEY, AND PETITIONER WILL RECORD A PLAT CREATING THE REALIGNED PORTION OF THE SOUTHERN PORTION OF THE ALLEY, UPON THE ABANDONMENT AND CLOSING OF THE RELEVANT PORTION OF THE ALLEY. THE AREA WITHIN THE ABANDONED AND CLOSED PORTION OF THE ALLEY THAT IS NOT LOCATED WITHIN THE REALIGNED PORTION OF THE ALLEY SHALL BE INCORPORATED INTO THE SITE AS SHOWN ON THE REZONING PLAN AND THE ALLEY EXHIBIT. CITY COUNCIL'S DECISION ON THIS REZONING PETITION DOES NOT CORRELATE WITH THE DECISION ON THIS ABANDONMENT REQUEST, AS THE DECISION ON THIS ABANDONMENT REQUEST IS RENDERED WITHIN THE SEPARATE RIGHT OF WAY ABANDONMENT PROCESS THAT IS GOVERNED BY THE NORTH CAROLINA GENERAL STATUTES AND IS APPROVED BY CITY COUNCIL.

- PETITIONER AND THE RELEVANT ADJACENT PROPERTY OWNERS SHALL SUBMIT A PETITION TO CDOT REQUESTING THE ABANDONMENT AND CLOSING OF THE UNOPENED RIGHT OF WAY LOCATED ON THE NORTHERN BOUNDARY OF THE SITE AND THE UNOPENED RIGHT OF WAY LOCATED ON THE EASTERN BOUNDARY OF THE SITE AS SHOWN ON THE REZONING PLAN. UPON THE ABANDONMENT AND CLOSING OF THE UNOPENED RIGHT OF WAY LOCATED ON THE NORTHERN BOUNDARY OF THE SITE AND THE UNOPENED RIGHT OF WAY LOCATED ON THE EASTERN BOUNDARY OF THE SITE, THE RELEVANT AREAS WITHIN SUCH RIGHTS OF WAY SHALL BE INCORPORATED INTO THE SITE AND THE RELEVANT ADJACENT PARCELS OF LAND. CITY COUNCIL'S DECISION ON THIS REZONING PETITION DOES NOT CORRELATE WITH THE DECISION ON THIS ABANDONMENT REQUEST, AS THE DECISION ON THIS ABANDONMENT REQUEST IS RENDERED WITHIN THE SEPARATE RIGHT OF WAY ABANDONMENT PROCESS THAT IS GOVERNED BY THE NORTH CAROLINA GENERAL STATUTES AND IS APPROVED BY CITY COUNCIL.
- IF THE ALLEY AND RIGHT OF WAY ABANDONMENT REQUESTS REFERENCED ABOVE IN PARAGRAPHS 4 AND 5 ARE NOT APPROVED BY CITY COUNCIL, THE DEVELOPMENT OF THE SITE WILL COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE ORDINANCE.

- PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO EAST 16TH STREET THAT ARE DEPICTED ON THE REZONING PLAN AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 25.5 FEET FROM THE EXISTING CENTERLINE OF EAST 16TH STREET, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

- PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO LOUISE AVENUE THAT ARE DEPICTED ON THE REZONING PLAN AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 25.5 FEET FROM THE EXISTING CENTERLINE OF LOUISE AVENUE, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

- PETITIONER SHALL IMPROVE THAT PORTION OF THE UNOPENED RIGHT OF WAY FOR LOUISE AVENUE THAT IS ADJACENT TO THE SITE AND IS DEPICTED ON THE REZONING PLAN. THIS PORTION OF THE UNOPENED RIGHT OF WAY FOR LOUISE AVENUE SHALL BE IMPROVED IN ACCORDANCE WITH THE REZONING PLAN.

- PETITIONER SHALL INSTALL AN ADA CURB AT THE CORNER OF EAST 16TH STREET AND LOUISE AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.

- ALL TRANSPORTATION IMPROVEMENTS REQUIRED TO BE CONSTRUCTED BY PETITIONER UNDER THIS SECTION 3 OF THE DEVELOPMENT STANDARDS WILL BE APPROVED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.

- PETITIONER WILL DEDICATE TO THE CITY OF CHARLOTTE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, AND THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE. 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. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

D. ARCHITECTURAL STANDARDS

- THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON THE SITE SHALL BE 49 FEET AS MEASURED UNDER THE ORDINANCE.
- THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE 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.
- VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.
- THE FRONT ELEVATION OF EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- ALL CORNER OR END SINGLE FAMILY ATTACHED DWELLING UNITS THAT FACE A PUBLIC STREET SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE SINGLE FAMILY ATTACHED DWELLING UNIT.
- EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE. THE GARAGES SHALL BE ACCESSED FROM THE INTERNAL ALLEYS/DRIVES.
- 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.
- EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE A COVERED FRONT STOOP. THE FRONT STOOP MAY BE COVERED BY AN AWNING, CANOPY, ROOF EXTENSION OR OTHER ARCHITECTURAL FEATURE CHOSEN BY PETITIONER.
- ROOFTOP TERRACES MAY BE INSTALLED ON THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE AT THE OPTION OF PETITIONER. NOTWITHSTANDING THE FOREGOING, ANY ROOFTOP TERRACES LOCATED ON BUILDING 1, BUILDING 2 OR BUILDING 3 SHALL FACE THE INTERIOR OF THE SITE.
- ATTACHED TO THE REZONING PLAN IS A CONCEPTUAL ARCHITECTURAL PERSPECTIVE OF THE SINGLE FAMILY ATTACHED DWELLING UNITS PROPOSED TO BE CONSTRUCTED ON THE SITE THAT IS INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE SINGLE FAMILY ATTACHED DWELLING UNITS PROPOSED TO BE CONSTRUCTED ON THE SITE. ACCORDINGLY, THE SINGLE FAMILY ATTACHED DWELLING UNITS PROPOSED TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THEY ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED CONCEPTUAL ARCHITECTURAL PERSPECTIVE WITH RESPECT TO ARCHITECTURAL STYLE, DESIGN AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THE EXTERIOR OF THE SINGLE FAMILY ATTACHED DWELLING UNITS PROPOSED TO BE CONSTRUCTED ON THE SITE THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS DEPICTED ON THE ATTACHED CONCEPTUAL ARCHITECTURAL PERSPECTIVE AND ON THE REZONING PLAN.

E. STREETScape AND LANDSCAPING

- A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON EAST 16TH STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THE PLANTING STRIP AND/OR THE SIDEWALK MAY BE REDUCED AS NECESSARY TO TIE INTO AN EXISTING SIDEWALK.
- A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THAT PORTION OF THE SITE'S FRONTAGE ON LOUISE AVENUE THAT IS DEPICTED ON THE REZONING PLAN.
- THE SIDEWALKS DESCRIBED ABOVE MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

F. ENVIRONMENTAL FEATURES

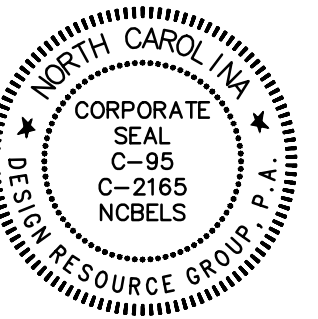
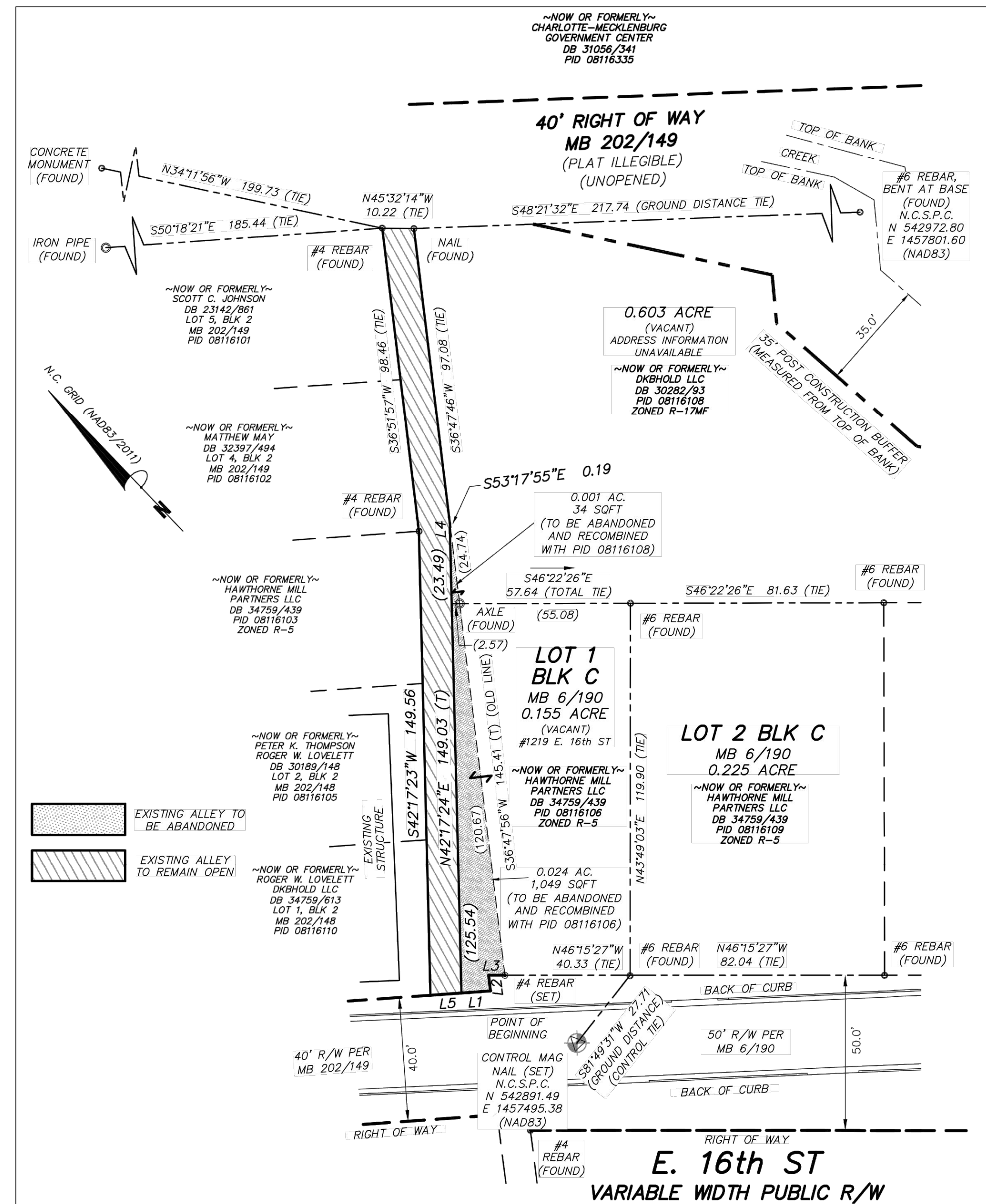
- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
- THE TREE SAVE AREAS DEPICTED ON THE REZONING PLAN ARE CONCEPTUAL AND THE ACTUAL TREE SAVE AREAS PROVIDED ON THE SITE MAY DIFFER FROM WHAT IS DEPICTED ON THE REZONING PLAN PROVIDED THAT THE SITE COMPLIES WITH THE REQUIREMENTS OF THE TREE ORDINANCE.
- DEVELOPMENT WITHIN ANY SWM/PCSD BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.

G. 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.



CONCEPTUAL ARCHITECTURAL PERSPECTIVE



REZONING PETITION

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