

REZONING PETITION

FOR PUBLIC HEARING

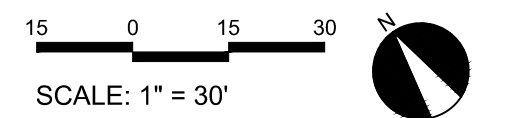
2020-167

REZONING DOCUMENT

N GRAHAM STREET
CHARLOTTE, NC

HOPPER COMMUNITIES
1616 CLEVELAND AVE
CHARLOTTE, NC 28203
704.805.4803

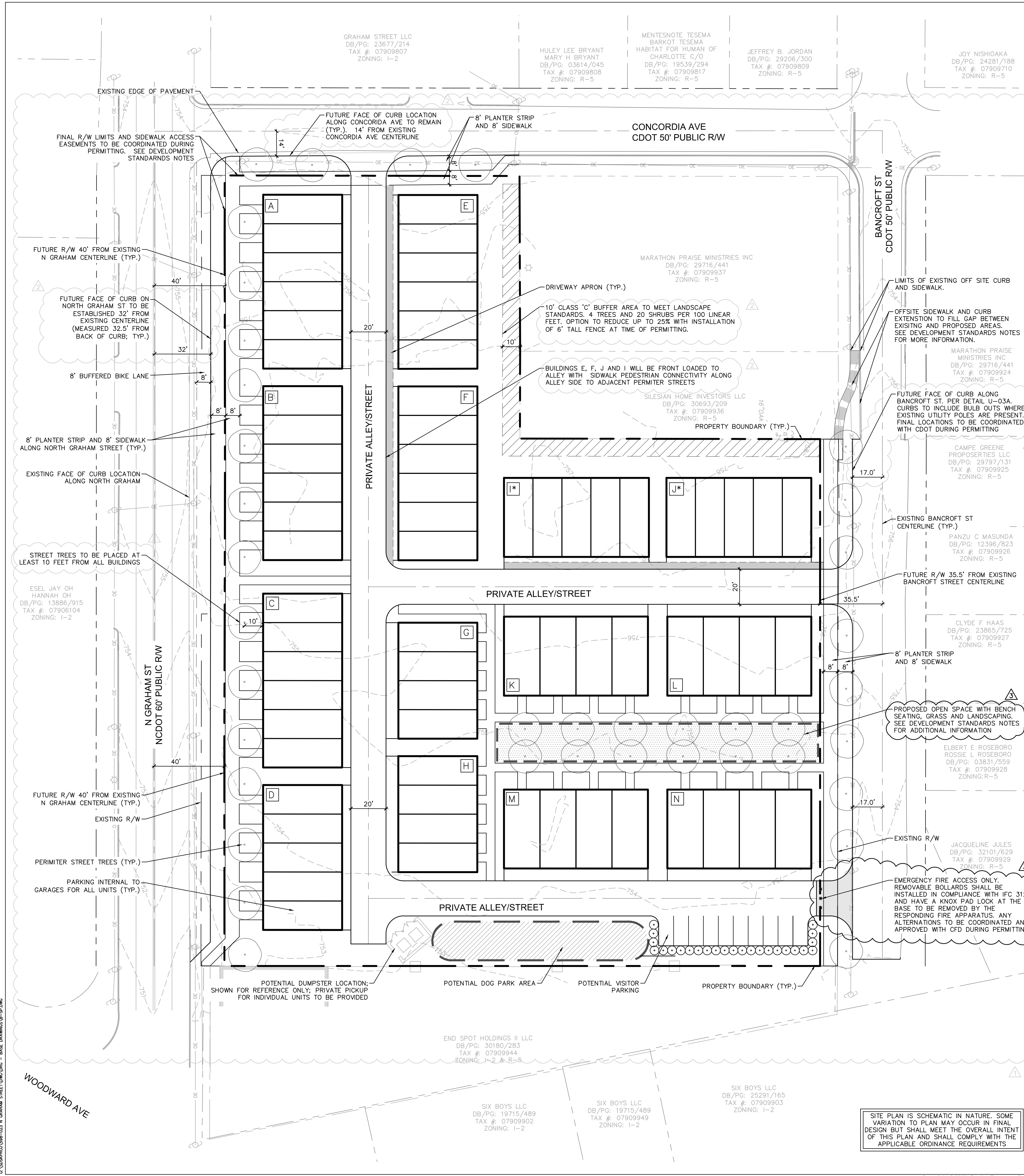
SCHEMATIC
SITE PLAN



PROJECT #: 598-023
DRAWN BY: JG
CHECKED BY: NB

OCTOBER 7, 2020

- REVISIONS:
- 1. 01/11/21 - PER REVIEW COMMENTS
 - 2. 02/24/21 - PER REVIEW COMMENTS
 - 3. 03/08/21 - PER REVIEW COMMENTS



SITE DATA

TAX MAP NO: 07909940, 07909941, 07909942, 07909943, 07909931, 07909932, 07909933, 07909946, 07909935, 07909938

SITE AREA: ±3.08 AC (134,048 SF)
±2.99 AC (130,076 SF) AFTER ROW DEDUCTION

EXISTING ZONING: I-2 AND R-5
PROPOSED ZONING: MUDD-0

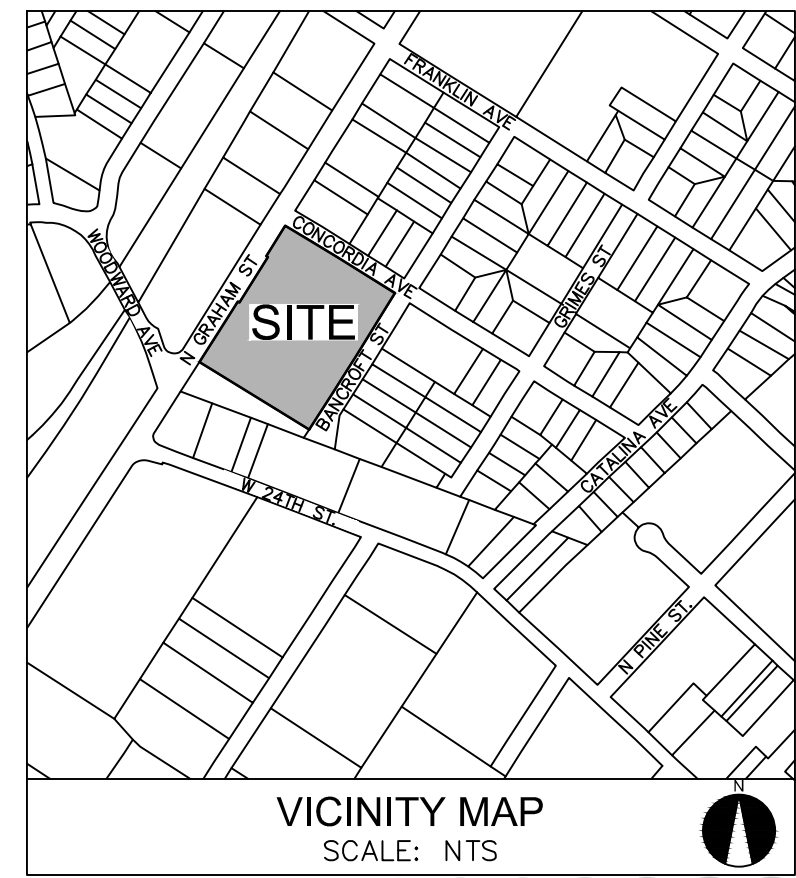
EXISTING USES: AUTO REPAIR SHOPS AND SINGLE FAMILY HOMES
PROPOSED USES: SINGLE FAMILY ATTACHED TOWNHOMES

PROPOSED DENSITY: 69 UNITS
PROPOSED UNITS: ±22-04 DUA

PARKING REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS (SITE LOCATED IN CORRIDOR)

TREE SAVE: SHALL MEET ORDINANCE REQUIREMENTS (SITE LOCATED IN CORRIDOR)

BUILDING HEIGHT: SHALL MEET ORDINANCE REQUIREMENTS



- 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 3.08 ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTH GRAHAM STREET AND CONCORDIA AVENUE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 079-099-38, 079-099-40, 079-099-41, 079-099-42, 079-099-43, 079-099-31, 079-099-32, 079-099-33, 079-099-45 AND 079-099-35.
 - THE DEVELOPMENT 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"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") 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/STREETS 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. OPTIONAL PROVISIONS**
- EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL COMPLY WITH THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE OR, ALTERNATIVELY, 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.

- C. PERMITTED USES**
- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 69 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING 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 FIRE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
 - THE SOUTHERNMOST VEHICULAR ACCESS POINT LOCATED ON BANCROFT STREET SHALL BE LIMITED TO EMERGENCY FIRE ACCESS ONLY. REMOVABLE BOLLARDS SHALL BE INSTALLED AT THIS VEHICULAR ACCESS POINT IN COMPLIANCE WITH IFC 312 AND SHALL HAVE A KNOX PAD LOCK AT THE BASE TO BE REMOVED BY THE RESPONDING FIRE APPARATUS. ANY ALTERATIONS TO BE COORDINATED WITH THE CHARLOTTE FIRE DEPARTMENT DURING PERMITTING.
 - AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE ALLEYS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE ALLEYS 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 AVOID EXISTING TREES.
 - SUBJECT TO THE APPROVAL OF CDOT, NCDOT AND ANY OTHER GOVERNMENTAL AGENCIES, PETITIONER SHALL, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING CONSTRUCTED ON THE SITE, CONSTRUCT AN ADA COMPLIANT BUS WAITING PAD PER LAND DEVELOPMENT STANDARD 60.01 WITH THE REQUIRED PLANTING STRIP ALONG THE SITE'S FRONTAGE ON NORTH GRAHAM STREET. THE EXACT LOCATION OF THE WAITING PAD SHALL BE DETERMINED DURING THE SITE DESIGN AND PERMITTING PROCESS, AND THE WAITING PAD SHALL BE LOCATED ENTIRELY WITHIN RIGHT-OF-WAY. IN THE EVENT THAT PETITIONER CANNOT OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO CONSTRUCT THE WAITING PAD, THEN PETITIONER SHALL HAVE NO OBLIGATION TO CONSTRUCT THE WAITING PAD. CATS SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF A BENCH OR SHELTER ON THE WAITING PAD.
 - PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE OR TO NCDOT AS APPLICABLE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO NORTH GRAHAM STREET AS REQUIRED TO PROVIDE RIGHT-OF-WAY MEASURING 40 FEET FROM THE EXISTING CENTERLINE OF NORTH GRAHAM STREET, TO THE EXTENT THAT SUCH RIGHT-OF-WAY DOES NOT ALREADY EXIST.
 - SUBJECT TO THE AVAILABILITY OF EXISTING RIGHT-OF-WAY TO ACCOMMODATE THE FOLLOWING IMPROVEMENTS, PETITIONER SHALL EXTEND SIDEWALK AND CURB AND GUTTER ALONG BANCROFT STREET FROM THE NORTHERN BOUNDARY OF THE SITE TO THE EXISTING SIDEWALK, CURB AND GUTTER ADJACENT TO TAX PARCEL NO. 079-099-36. THE EXTENDED SIDEWALK SHALL BE LOCATED BACK OF CURB. IF THERE IS NOT EXISTING RIGHT-OF-WAY TO ACCOMMODATE THE FOREGOING IMPROVEMENTS, PETITIONER SHALL NOT BE REQUIRED TO INSTALL THE SAME.
 - THE CURB AND GUTTER ALONG THE SITE'S FRONTAGE ON NORTH GRAHAM STREET SHALL BE LOCATED 32.5 FEET FROM THE EXISTING CENTERLINE OF NORTH GRAHAM STREET. THE RELOCATED CURB AND GUTTER SHALL ACCOMMODATE AN 8 FOOT WIDE BUFFERED BIKE LANE ALONG THE SITE'S FRONTAGE ON NORTH GRAHAM STREET.
 - PETITIONER WILL DEDICATE TO THE CITY OF CHARLOTTE OR TO NCDOT AS APPLICABLE 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 A CERTIFICATE OF OCCUPANCY FOR THE FIRST 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.
 - ALL TRANSPORTATION IMPROVEMENTS REQUIRED TO BE CONSTRUCTED BY PETITIONER UNDER THESE DEVELOPMENT STANDARDS, INCLUDING THE STREETSCAPE IMPROVEMENTS DESCRIBED IN PARAGRAPHS F.1 AND F.2 BELOW, WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING CONSTRUCTED ON THE SITE.

- E. ARCHITECTURAL STANDARDS**
- 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, EPS OR MASONITE 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.
 - THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN.
 - 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.
 - THE FRONT ELEVATION OF EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSION 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 EXPANSION 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.
 - EACH SINGLE FAMILY ATTACHED DWELLING UNIT TO BE CONSTRUCTED ON THE SITE WILL BE ALLEY OR REAR LOADED. NOTWITHSTANDING THE FOREGOING, THE SINGLE FAMILY ATTACHED DWELLING UNITS LOCATED IN BUILDING E, BUILDING F, BUILDING I AND BUILDING J WILL BE FRONT LOADED DWELLING UNITS.
 - WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC/Private STREETS.
 - THE REQUIREMENT SET OUT BELOW IN SUBPARAGRAPH (A) SHALL APPLY TO EACH OF THE THREE BUILDINGS THAT ABUT BANCROFT STREET.
 - THE END DWELLING UNIT THAT ABUTS BANCROFT STREET SHALL HAVE A PORCH OR STOOP THAT WRAPS A PORTION OF THE FRONT OR REAR OF THE UNIT AND THE SIDE OF THE UNIT THAT FACES BANCROFT STREET, IF A PORCH IS UTILIZED, IT MAY BE LOCATED ON THE SECOND STORY OF SUCH UNIT.
 - ANY ROOFTOP TERRACES LOCATED ON THE TWO BUILDINGS DESIGNATED WITH AN ASTERISK ON THE REZONING PLAN (BUILDING I AND BUILDING J) SHALL FACE THE INTERIOR OF THE SITE.
 - THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT ABUT NORTH GRAHAM STREET WILL FRONT NORTH GRAHAM STREET.
 - EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL COMPLY WITH THE BUILDING ENTRANCE REQUIREMENTS OF SECTION 9.8506(2)(H) OF THE ORDINANCE OR, ALTERNATIVELY, 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.
- F. STREETSCAPE AND LANDSCAPING**
- A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGES ON CONCORDIA AVENUE AND BANCROFT STREET.
 - A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON NORTH GRAHAM STREET.
 - THE SIDEWALKS DESCRIBED ABOVE IN PARAGRAPHS 1 AND 2, OR PORTIONS THEREOF, MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
 - A 10 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER SHALL BE INSTALLED ON THOSE PORTIONS OF THE SITE'S BOUNDARY LINES THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN. THE WIDTH OF THIS LANDSCAPE AREA MAY BE REDUCED BY 25% THROUGH THE INSTALLATION OF A 6 FOOT TALL WOODEN SCREEN FENCE.
- G. ENVIRONMENTAL**
- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE. THE SITE IS LOCATED IN A CORRIDOR.
 - PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.
- H. CENTRAL GREEN/AMENITY SPACE**
- THE MINIMUM SIZE OF THE CENTRAL GREEN/AMENITY SPACE SHALL BE 2,800 SQUARE FEET, AND THE CENTRAL GREEN/AMENITY SPACE SHALL, AT A MINIMUM, CONTAIN GRASS, SHRUBS, TREES, PEDESTRIAN WALKWAYS AND SEATING.
- I. 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.

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATION TO PLAN MAY OCCUR IN FINAL DESIGN BUT SHALL MEET THE OVERALL INTENT OF THIS PLAN AND SHALL COMPLY WITH THE APPLICABLE ORDINANCE REQUIREMENTS