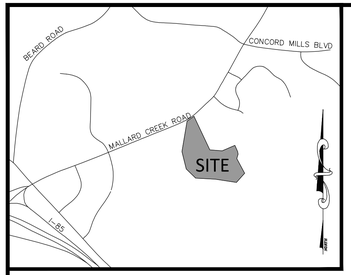

VICINITY MAP
NOT TO SCALE

SPEEDWAY MOTORSPORTS, INC.
D.B. 13111, PG. 734
PIN: 029-181-10
ZONING: CC
LAND USE: VACANT
(FUTURE I-1(CD) PENDING REZONING)

TRACT 4
"FOX PROPERTY-MAP 1
REVISION MAP OF MAP BOOK 28 PAGE 829"
M.B. 28, PG. 918
WINNIE N. FOX
D.B. 35142, PG. 558
PIN: 029-181-21
ZONING: R-3
LAND USE: SINGLE FAMILY RESIDENTIAL

TRACT 3
"FOX PROPERTY-MAP 1
REVISION MAP OF MAP BOOK 28 PAGE 829"
M.B. 28, PG. 918
WINNIE N. FOX
D.B. 35142, PG. 558
PIN: 029-181-20
ZONING: R-3
LAND USE: SINGLE FAMILY RESIDENTIAL

KINGS GRANT DRIVE
(EXISTING PUBLIC R/W VARIES)
(CL'T MAINTAINED)

KINGS GRANT DRIVE
(FUTURE, AS DESCRIBED UNDER
REZONING PETITION #2018-067)

150' DUKE ENERGY R/W

FUTURE EXTENSION

MALLARD CREEK ROAD
FORMERLY R. 240/NORTH CAROLINA
HIGHWAY 29 (CHARLOTTE ROAD)
(D.B. 1317, PG. 134)
60' PUBLIC R/W

PROPOSED CENTERLINE
FOR NCDOT STIP U-6032

PROPOSED ROAD
IMPROVEMENTS BY NCDOT
STIP U-6032

PROPOSED R/W DEDICATION
67.5' FROM CENTERLINE
OF NCDOT STIP U-6032

EX. 60' R/W

8' PLANTING STRIP
12' MULTI-USE PATH
BY NCDOT-STIP U-6032

8' PLANTING STRIP
8' SIDEWALK
ALONG INTERNAL
PUBLIC STREETS

POTENTIAL
DRIVEWAY
LOCATION

PROPOSED PUBLIC STREET 1
31' LOCAL RESIDENTIAL WIDE
CURB & GUTTER

PROPOSED PUBLIC STREET 2
34' LOCAL RESIDENTIAL WIDE
CURB & GUTTER

DRIVEWAY

15' BUILDING
SETBACK IF IN
COMPLIANCE WITH
9.303(19)(F)

20' SETBACK

15' BUILDING
SETBACK IF IN
COMPLIANCE WITH
9.303(19)(F)

8' PLANTING STRIP
8' SIDEWALK
ALONG INTERNAL
PUBLIC STREETS

BUILDING AREA
A

BUILDING AREA
B

40' REAR YARD

50' REAR YARD
(BASED ON CURRENT ADJACENT LAND USE)
50' CLASS 'C' BUFFER
(BASED ON CURRENT ADJACENT ZONING)

HICKORY GROVE BAPTIST CHURCH
D.B. 8023, PG. 218
PIN: 029-171-02
ZONING: INST
LAND USE: CHURCH

HICKORY GROVE BAPTIST CHURCH PRIVATE DRIVEWAY

DOBY CREEK LANE
(UNDER CONSTRUCTION PER REZONING
PETITION #2018-067)

SPEEDWAY MOTORSPORTS, INC.
D.B. 13111, PG. 734
PIN: 029-181-10
ZONING: CC
LAND USE: VACANT
(FUTURE I-1(CD) PENDING REZONING)

NORTH

GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 inch = 80 ft.

DEVELOPMENT STANDARDS

May 17, 2021

1. GENERAL PROVISIONS

A. These development standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Madison Capital Group LLC (the "Petitioner") to accommodate the development of a multi-family residential community on an approximately 19 acre site located on the south side of Mallard Creek Road between Kings Grant Drive and Odell School Road (the "Site"). The Site is comprised of Tax Parcel Nos. 029-181-18 and 029-181-19.

B. 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 R-17 MF zoning district shall govern the development and use of the Site.

C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.

D. This Rezoning Plan does not limit the number of principal buildings, accessory structures and surface parking areas that may be located on the Site. The number of principal buildings, accessory structures and surface parking areas that may be located on the Site shall be governed by the applicable provisions of the Ordinance.

E. Principal buildings and accessory structures shall be located within the building envelopes depicted on the Rezoning Plan. Parking areas shall be permitted anywhere on the Site outside of required setbacks and buffers.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. The Site may only be devoted to a residential community containing a maximum of 288 multi-family dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-17 MF zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office and amenities such as a fitness center, clubhouse, swimming pool, dog park, playground and gathering areas.

B. A minimum of 5 percent of the multi-family dwelling units constructed on the Site shall maintain monthly rents that are income restricted to households earning 80% of the area median income for a period of not less than 15 years from the date of the issuance of the certificate of occupancy for the building(s) in which such dwelling units are located.

3. TRANSPORTATION

A. 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") and/or the North Carolina Department of Transportation ("NCDOT") in accordance with applicable published standards.

B. The alignments of the internal public and/or private streets, internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

C. Garages may be provided on the Site, and the parking spaces located within the garages shall be counted towards the total number of parking spaces required to be located on the Site.

D. 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 sixth new building constructed on the Site, construct an ADA compliant bus waiting pad per land development standard 60.01B within the required planting strip along the Site's frontage on Mallard Creek Road. 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.

E. Prior to the issuance of a certificate of occupancy for the sixth 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 Mallard Creek Road that are depicted on the Rezoning Plan as required to provide right of way measuring 67.5 feet from the centerline of Mallard Creek Road as shown on the plans for NCDOT STIP U-6032, to the extent that such right of way does not already exist.

F. The development of the Site shall comply with Chapter 19-173 of the Charlotte City Code. Petitioner shall, in coordination with NCDOT and/or CDOT, either construct and install a minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path along the Site's frontage on Mallard Creek Road or contribute the cost of such improvements to NCDOT and/or CDOT for the later construction and installation of such improvements by NCDOT and/or CDOT.

G. Petitioner shall coordinate with NCDOT and/or CDOT on the construction of an interim condition for Mallard Creek Road at the vehicular access point into the Site in view of the NCDOT STIP U-6032 project. The interim condition may include, without limitation, a 3 lane section between Kings Grant and Doby Creek Lane.

H. All transportation improvements required to be constructed by Petitioner under this Section 3 of the Development Standards will be approved and constructed or bonded prior to the issuance of a certificate of occupancy for the sixth new building constructed on the Site.

I. 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.

4. ARCHITECTURAL STANDARDS

A. The maximum height of any building constructed on the Site shall be governed by the Ordinance.

B. The architectural standards set out below shall apply to any building containing multi-family dwelling units located on that portion of the Site designated as Building Area A on the Rezoning Plan.

(1) Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

(2) Prohibited Exterior Building Materials:

(a) Vinyl siding (but not vinyl hand rails, windows or door trim).

(b) Concrete Masonry Units not architecturally finished.

(3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

(a) Buildings shall be placed so as to present a front or side façade to all network required streets (public or private).

(b) Buildings on Building Area A shall front a minimum of 60% of Building Area A's street frontage along Street 1 (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).

(c) Parking lots shall not be located between any building and Street 1.

(d) Driveways intended to serve single units shall be prohibited on all network required streets.

(4) Building Massing and Height shall be designed to break up long monolithic building forms as follows:

(a) Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 6 feet extending through the building.

(5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

(a) Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

(b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.

(c) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls

(6) Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

(a) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.

(b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

(c) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

(7) Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

C. The architectural standards set out below shall apply to any building containing multi-family dwelling units located on that portion of the Site designated as Building Area B on the Rezoning Plan.

(1) Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

(2) Prohibited Exterior Building Materials:

(a) Vinyl siding (but not vinyl hand rails, windows or door trim).

(b) Concrete Masonry Units not architecturally finished.

(3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

(a) Buildings shall be placed so as to present a front or side façade to all network required streets (public or private).

(b) Buildings shall front a minimum of 60% of the total network required street frontage on Building Area B (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).

(c) Parking lots shall not be located between any building and any network required public or private street.

(d) Driveways intended to serve single units shall be prohibited on all network required streets.

(4) Building Massing and Height shall be designed to break up long monolithic building forms as follows:

(a) Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 6 feet extending through the building.

(5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

(a) Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

(b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.

(c) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls

(6) Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

(a) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.

(b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

(c) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

(7) Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

5. STREETSCAPE/LANDSCAPING/BUFFERS

A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of a buffer by 25% by installing a wall, fence or berm that meets the standards of Section 12.302(8) of the Ordinance.

B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer and/or rear yard requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer and/or rear yard areas accordingly.

C A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the public street(s) constructed within the Site.

6. ENVIRONMENTAL FEATURES

A. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

B. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.

7. AMENITY AREA IMPROVEMENTS/OPEN SPACE

A. An amenity area shall be provided on the Site. At a minimum, the amenity area shall contain a swimming pool. The minimum size of the amenity area, including the area on which the swimming pool is located, shall be 14,000 square feet.

B. An open space area or open space areas shall be provided within Building Area B to serve the Site. The minimum size of the open space area or the minimum size of the combined open space areas shall be a total of 10,000 square feet and the open space area or open space areas may contain a dog park and seating elements.

8. 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 Site in accordance with the provisions of Chapter 6 of the Ordinance.

9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A. 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.

B. 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.

C. 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.

ORSBORN ENGINEERING GROUP
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REZONING PETITION #2021-045
FOR
MALLARD CREEK APARTMENTS
CHARLOTTE, NORTH CAROLINA

MADISON CAPITAL GROUP
6805 MORRISON BLVD., STE 250
CHARLOTTE, NC 28211

NORTH CAROLINA
PROFESSIONAL ENGINEERING COMPANY
C-3139
ORSBORN ENGINEERING GROUP, P.A.

NO.	DATE	REVISIONS
1	05/17/2021	PER STAFF COMMENTS

JOB #	20049
DATE:	02/10/21
SCALE:	1" = 80'
DRAWN BY:	JAW
APPROVED BY:	JCO

RZ-1

May 17, 2021 - 11:10am By: JWisler
P:\20049 Mallard Creek Apartments\Dwg\Rezoning\20049 RZ-1.dwg

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