

**DEVELOPMENT STANDARDS**

**1. GENERAL PROVISIONS:**

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP. (PETITIONER) TO ACCOMMODATE THE DEVELOPMENT OF AN INDEPENDENT LIVING FACILITY ON APPROXIMATELY 5.24-ACRE SITE LOCATED AT 7123 MALLARD CREEK 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 INST. ZONING CLASSIFICATION SHALL GOVERN.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND 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.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL RESIDENTIAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1). 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 BUILDINGS LOCATED ON THE SITE.

**2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:**

a. THE SITE MAY BE DEVELOPED WITH AN INDEPENDENT LIVING FACILITY WITH UP TO 107 INDEPENDENT LIVING UNITS TOGETHER WITH ACCESSORY USES AS ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE INSTITUTIONAL ZONING DISTRICT AND AS GENERALLY DEPICTED ON THE REZONING PLAN.

**3. ACCESS AND TRANSPORTATION IMPROVEMENTS:**

a. ACCESS TO THE SITE WILL BE FROM MALLARD CREEK ROAD AND HUBBARD ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER MAY PROVIDE A VEHICULAR CONNECTION TO BISANER STREET IF BISANER STREET IS IMPROVED AND OPENED TO HUBBARD ROAD.

b. THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A 12-FOOT MULTI-USE PATH ALONG THE SITE'S FRONTAGE ALONG MALLARD CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. ALONG HUBBARD ROAD THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK AS WELL AS CURB AND GUTTER AS REQUIRED BY CHAPTER 19 OF THE CHARLOTTE CODE OF ORDINANCES. A SIDEWALK UTILITY EASEMENT WILL BE PROVIDED FOR THE PORTION OF THE SIDEWALK OR MUP THAT ARE NOT LOCATED WITHIN THE EXISTING RIGHT-OF-WAY.

c. THE PETITIONER WILL RECONSTRUCT THE ACCESSIBLE RAMPS AND RELOCATE PEDESTRIAN SIGNALS LOCATED AT THE INTERSECTION OF HUBBARD RD. AND MALLARD CREEK RD. TO ACCOMMODATE THE MUP CONSTRUCTED ON MALLARD CREEK RD. AND THE NEW SIDEWALK CONSTRUCTED ON HUBBARD ROAD (NORTHWEST CORNER). THE PETITIONER WILL ALSO RELOCATE THE RECEIVING RAMP ON THE OPPOSITE SIDE OF HUBBARD ROAD (NORTHEAST CORNER) AND RELOCATE THE PEDESTRIAN SIGNAL IF NECESSARY. ANY IMPROVEMENTS OR MODIFICATIONS TO THE ACCESSIBLE RAMPS OR PEDESTRIAN SIGNAL ON THE NORTHEAST CORNER OF HUBBARD AND MALLARD CREEK WILL BE LIMITED TO IMPROVEMENTS THAT CAN BE ACCOMMODATED WITHIN THE EXISTING RIGHT-OF-WAY. THE PETITIONER IS NOT RESPONSIBLE FOR ANY IMPROVEMENTS THAT REQUIRE THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY. THE EXISTING CROSS-WALK STRIPING ON HUBBARD RD. WILL BE ALSO BE ADJUSTED AS NEEDED.

d. ALONG BISANER STREET THE PETITIONER WILL PROVIDE CURB AND GUTTER, AN EIGHT (8) FOOT SIDEWALK AND AN EIGHT (8) FOOT PLANTING STRIP AND ADDITIONAL PAVEMENT AND CURB AND GUTTER AS REQUIRED BY CHAPTER 19 AND AS GENERALLY DEPICTED ON THE REZONING PLAN.

e. ALL TRANSPORTATION IMPROVEMENTS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO THE RELEASE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE. THE PETITIONER MAY POST A BOND FOR ANY IMPROVEMENTS NOT COMPLETED AT THE TIME A CERTIFICATE OF OCCUPANCY IS REQUESTED.

f. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT AND NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

g. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

h. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED. 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 MUP 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. THE RIGHT-OF-WAY DEDICATION ALONG BISANER STREET WILL BE MEASURED FROM THE EXISTING CENTER LINE AND THE RIGHT-OF-WAY TO BE PROVIDED WILL BE CONSISTENT WITH A LOCAL RESIDENTIAL MEDIUM STREET SECTION U-02.

**4. STREETScape, BUFFERS, YARDS, OPEN SPACE AND LANDSCAPING:**

a. A 40-FOOT SETBACK WILL BE PROVIDED AS MEASURED FROM THE EXISTING OR PROPOSED RIGHT-OF-WAY OF MALLARD CREEK ROAD, HUBBARD ROAD AND BISANER STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. ALONG THE SITE'S INTERNAL PARKING AREA THE PETITIONER WILL PROVIDE A SIDEWALK AND CROSS-WALK NETWORK THAT LINKS TO THE BUILDING ON THE SITE AND TO THE SIDEWALKS ALONG THE ADJUTING PUBLIC STREETS IN THE MANNER DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.

c. A 32-FOOT CLASS C BUFFER WILL BE PROVIDED ALONG THE PROPERTY BOUNDARIES THAT ABUT SINGLE-FAMILY ZONING OR USE. THE PROPOSED CLASS C BUFFER CAN BE REDUCED WITH A FENCE OR BERM AS ALLOWED BY THE ZONING REGULATIONS.

**5. GENERAL DESIGN GUIDELINES:**

a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD, VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.

b. BUILDINGS SHALL FRONT (THE SIDE OF A BUILDING THAT HAS WINDOWS WILL ALSO BE CONSIDERED A FRONT) A MINIMUM OF 65% OF THE TOTAL STREET FRONTAGE ALONG MALLARD CREEK ROAD AND A MINIMUM OF 50% OF TOTAL STREET FRONTAGE ON HUBBARD ROAD (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, USABLE OPEN SPACE, TREE SAVE AREAS, NATURAL AREAS, AND/OR TREE RE-PLANTING AREAS). THIS STANDARD DOES NOT APPLY TO BISANER STREET.

c. ALL RESIDENTIAL GROUND FLOOR UNITS WILL HAVE ENTRANCES FACING THE STREET, AND WHEN WITHIN 15 FEET OF THE SIDEWALK LOCATED ALONG THE STREET SHALL BE RAISED A MINIMUM OF 12-24". STOOPS SHOULD BE PROVIDED ON ALL PUBLIC AND PRIVATE STREETS WHEN INDIVIDUAL ENTRANCES ARE PROVIDED. IF INDIVIDUAL ENTRANCES ARE NOT FEASIBLE AT LEAST ONE COMMON ENTRANCE WILL BE PROVIDED. INDIVIDUAL OR COMMON ENTRANCES WILL NOT BE REQUIRED IF THE BUILDING IS THREE (3) OR MORE FEET BELOW THE GRADE OF THE ADJOINING PUBLIC STREET.

d. BUILDING MASSING. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (RECESS, PROJECTION, ARCHITECTURAL TREATMENT, ETC.). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL EXTEND OR RECESS A MINIMUM OF 5 FEET, EXTENDING THROUGH ALL FLOORS.

e. VERTICAL MODULATION AND RHYTHM - BUILDING ELEVATIONS SHALL BE DESIGNED WITH RECOGNIZABLE VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES. THE BAYS AND FEATURES MAY INCLUDE, BUT NOT LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, AND/OR RECESSES, PILASTERS, AND CHANGE IN MATERIALS.

f. BUILDING BASE - BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE. A MINIMUM OF THREE ELEVATIONS OF THE PROPOSED BUILDING WILL BE ARTICULATED WITH A WATER TABLE A MINIMUM OF THREE (3) FEET IN HEIGHT.

g. BUILDING ELEVATIONS FACING STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS

GREATER THAN 20 FEET.

h. ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDING, MEDALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

i. ROOF FORM AND ROOFLINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE THROUGH THE FOLLOWING STANDARDS:

(i). LONG ROOFLINES (PITCHED OR FLAT) SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM (E.G. DORMERS, GABLES, ETC.).

(ii). FOR PITCHED ROOFS THE ALLOWED MINIMUM PITCH SHALL BE 4:12 (FOUR FEET IN VERTICAL HEIGHT FOR EVERY TWELVE FEET IN HORIZONTAL LENGTH), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

j. UTILITY STRUCTURES NEED TO BE SCREENED ARCHITECTURALLY OR WITH EVERGREEN PLANT MATERIAL.

k. WALLS SHALL BE DESIGNED TO MATCH AND COMPLEMENT THE BUILDING ARCHITECTURE OF THE RESIDENTIAL BUILDINGS OF THE SUBJECT PROPERTY.

l. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.

m. DUMPSTER AND RECYCLING AREA WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDINGS. THE LOCATION OF THE PROPOSED DUMPSTER AND RECYCLING AREA IS GENERALLY DEPICTED ON THE REZONING PLAN.

n. METER BANKS WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM THE ADJUTING PUBLIC STREETS.

**6. OPEN SPACE AND AMENITY AREA IMPROVEMENTS:**

a. OPEN SPACE AMENITY AREAS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. A MINIMUM OF 3,500 SQUARE FEET OF IMPROVED OPEN SPACE WILL BE PROVIDED. THE PROPOSED OPEN SPACE AREAS MAY BE IMPROVED WITH WALKING PATHS, LANDSCAPING, SEATING AREAS, AND STRUCTURES APPROPRIATE TO THE PROPOSED OPEN SPACE AREA.

**7. ENVIRONMENTAL FEATURES:**

a. 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 IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. DEVELOPMENT WITHIN THE SWM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE.

c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE. A SURVEY OF TREES IN THE EXISTING STREET RIGHT-OF-WAY WILL BE REQUIRED TO BE DONE PRIOR TO THE FIRST SUBMITTAL OF DEVELOPMENT PLANS.

d. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

**8. LIGHTING:**

a. ALL NEW LIGHTING SHALL BE FULL OUT-OF-TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, PARKING AREAS AND COURTYARDS.

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 21 FEET IN HEIGHT.

**9. SIGNS:**

a. RESERVED.

**10. CATS BUS STOP:**

a. THE PETITIONER WILL CONSTRUCT ALONG MALLARD CREEK RD. AN ADA COMPLIANT BUS PAD PER LAND DEVELOPMENT STANDARD 60.03A. THE FINAL LOCATION OF THE WAITING PADS WILL BE COORDINATED WITH THE DEVELOPER THROUGH THE PERMITTING PROCESS.

**11. 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 PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

**12. 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 UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

**SITE DEVELOPMENT DATA**

ACREAGE: ±5.24 AC (±228,254 SF)  
TAX PARCEL #: 043-215-05

EXISTING ZONING: R-3  
PROPOSED ZONING: INST. (CD)

EXISTING USE:  
PROPOSED USE:

MAXIMUM BUILDING HEIGHT:

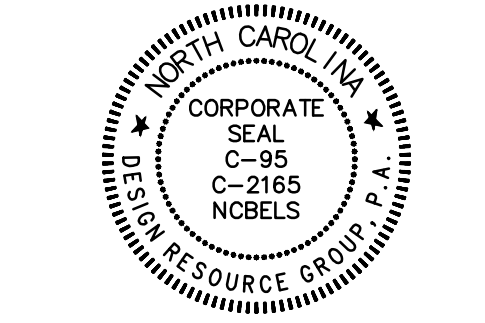
PARKING:

RESIDENTIAL INDEPENDENT LIVING FACILITY WITH UP TO 107 INDEPENDENT LIVING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED BY RIGHT AND UNDER PRE-SCRIBED CONDITIONS IN THE INSTITUTIONAL ZONING DISTRICT. NOT TO EXCEED 60 FEET, BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE. AS REQUIRED BY THE ORDINANCE.



LANDSCAPE ARCHITECTURE  
CIVIL ENGINEERING  
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208  
704.343.0608  
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REZONING PETITION  
FOR PUBLIC HEARING  
2021-068

REZONING DOCUMENTS

MALLARD CREEK ROAD  
CHARLOTTE, NORTH CAROLINA  
CHARLOTTE MECKLENBURG  
HOUSING PARTNERSHIP, INC.  
4601 CHARLOTTE PARK DRIVE, SUITE 350  
CHARLOTTE, NC 28217

**DEVELOPMENT STANDARDS**

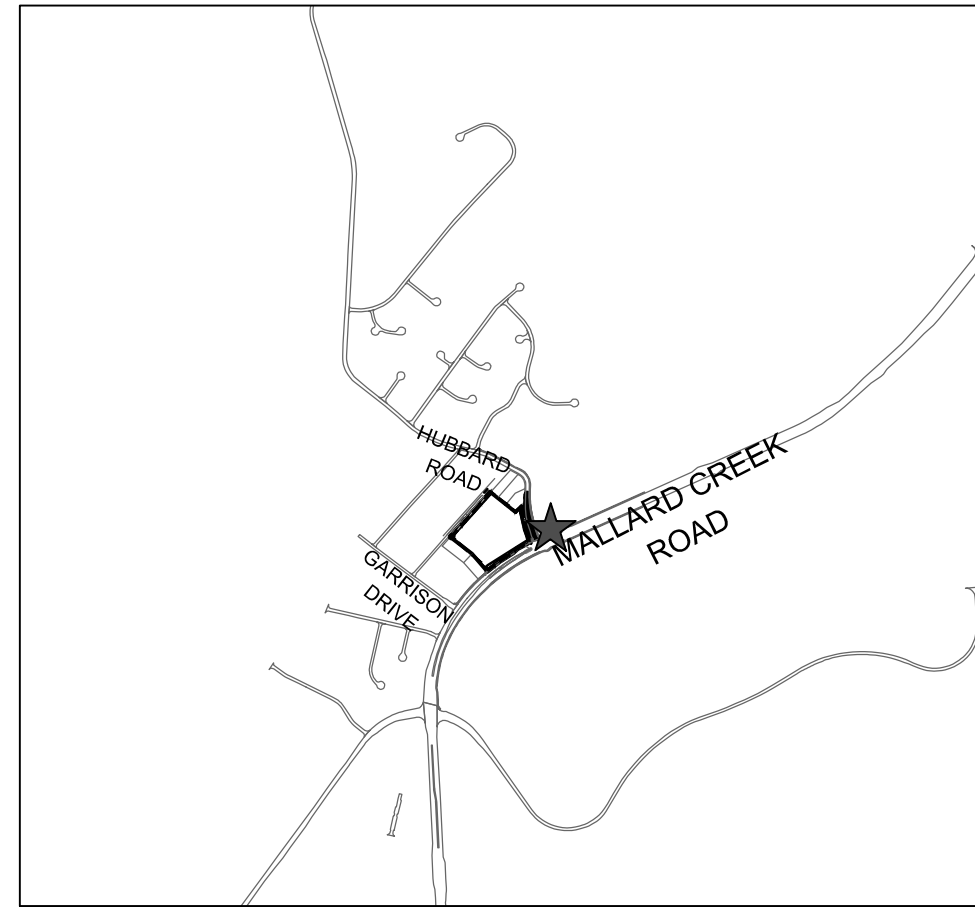
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PROJECT #: 700-009  
DRAWN BY: LD  
CHECKED BY: TH

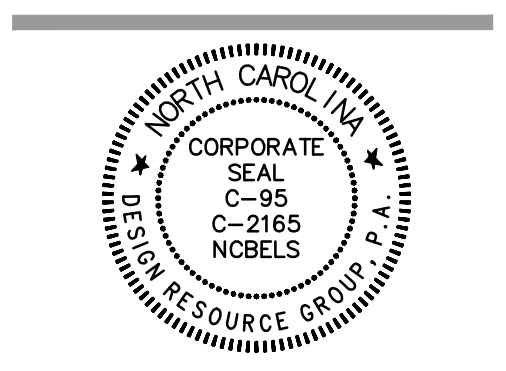
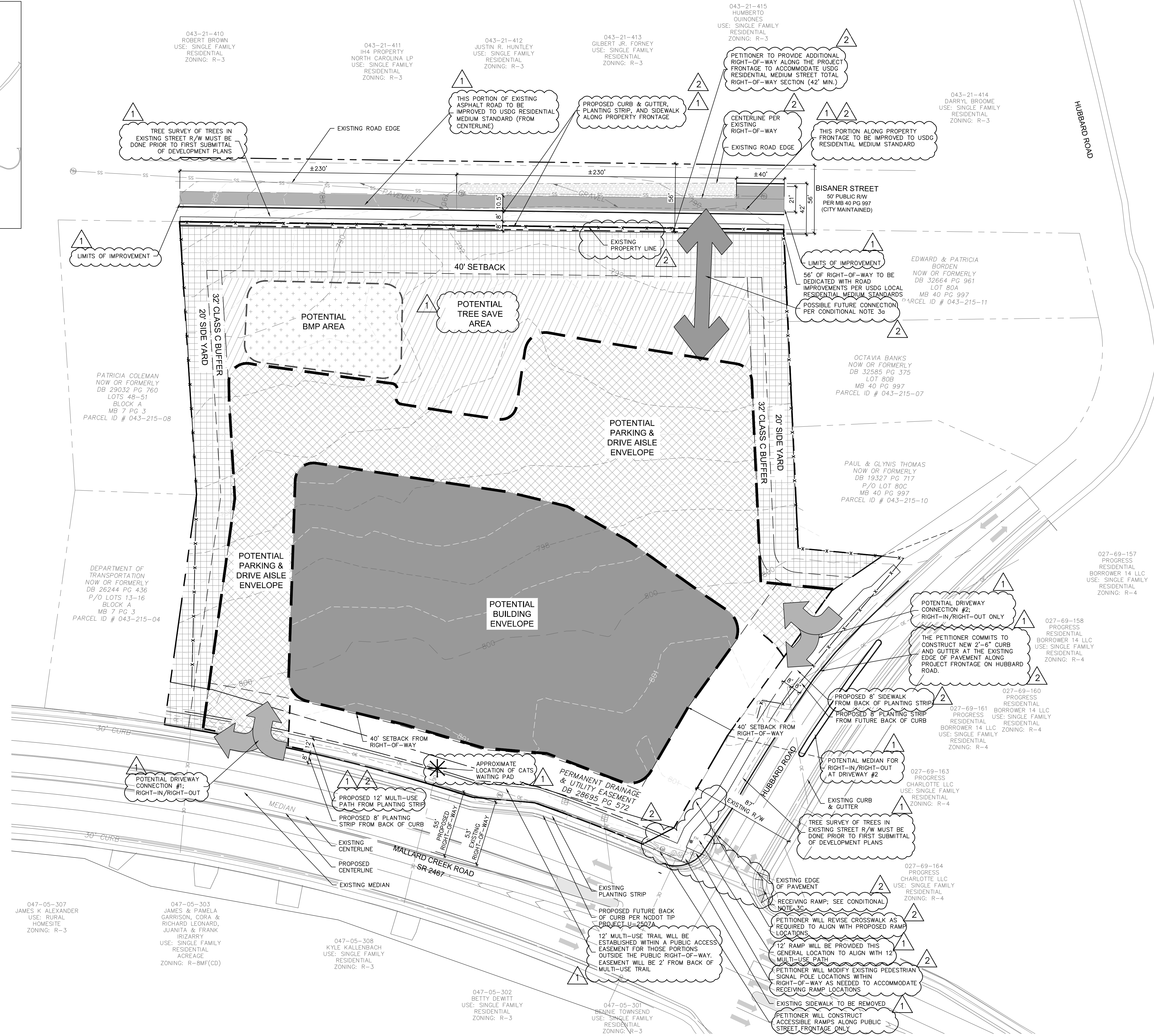
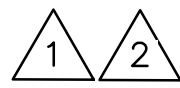
JUNE 14, 2021

REVISIONS:  
1. JUNE 14, 2021 PER STAFF COMMENTS  
2. JULY 22, 2021 PER STAFF COMMENTS

RZ1.00



VICINITY MAP: NOT TO SCALE



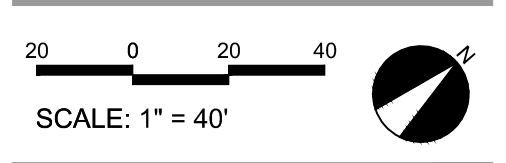
REZONING PETITION  
FOR PUBLIC HEARING  
2021-068

REZONING DOCUMENTS

**MALLARD CREEK ROAD**  
CHARLOTTE, NORTH CAROLINA

**CHARLOTTE MECKLENBURG HOUSING PARTNERSHIP, INC.**  
4601 CHARLOTTE PARK DRIVE, SUITE 350  
CHARLOTTE, NC 28217

SCHEMATIC  
SITE PLAN



PROJECT #: 700-009  
DRAWN BY: LD  
CHECKED BY: TH

JUNE 14, 2021

- REVISIONS:
1. JUNE 14, 2021 PER STAFF COMMENTS
  2. JULY 22, 2021 PER STAFF COMMENTS