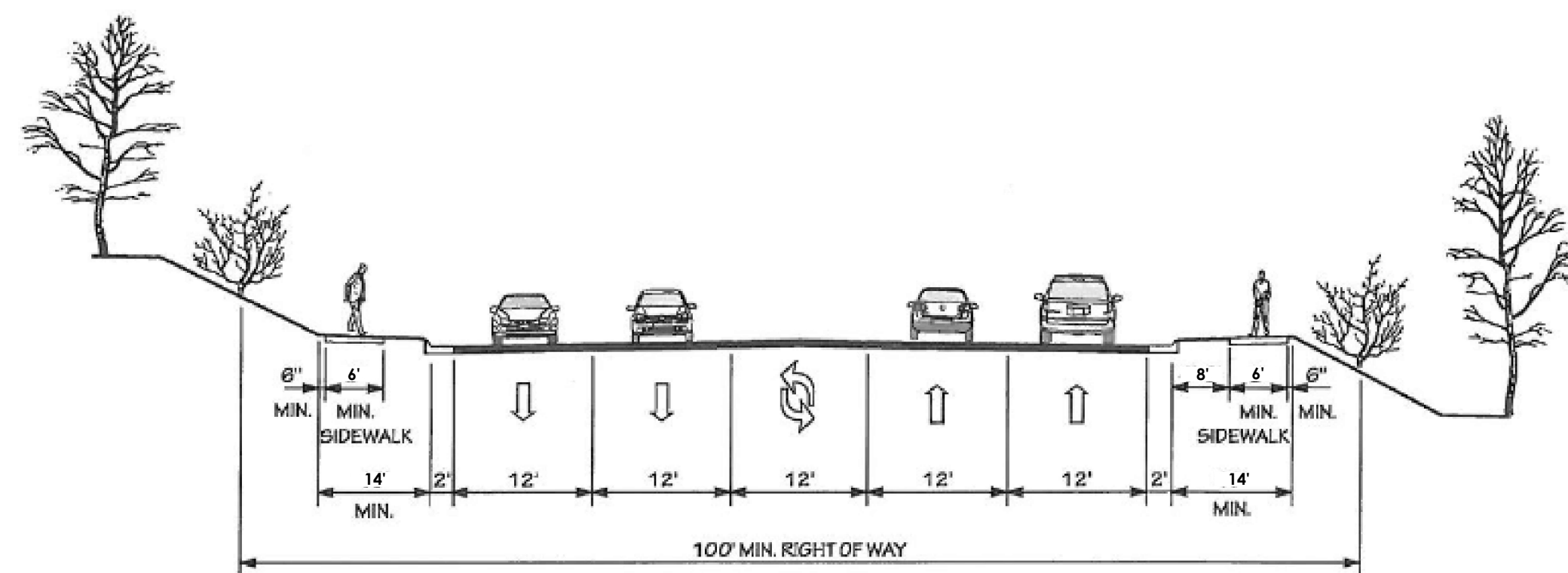




FRONT ELEVATION



REAR ELEVATION



4 LANE WITH TWO WAY LEFT TURN LANE, CURB & GUTTER,
AND SIDEWALKS
POSTED SPEED 35-45 MPH
MALLARD CREEK TYPICAL CROSS SECTION

IN THE EVENT LAND IS SOLD WITH ATTACHED UNITS, THE PETITIONER WILL PROVIDE EITHER 400 SQFT OF PRIVATE OPEN SPACE PER UNIT OR PROVIDE USEABLE COMMON OPEN SPACE EQUAL TO AT LEAST 10% OF THE SITE AS REQUIRED BY THE ZONING ORDINANCE. IF COMMON OPEN SPACE IS PROVIDED, AMENITIES SHALL INCLUDE AT LEAST TWO (2) OF THE FOLLOWING ENHANCEMENTS: SOFT TRAILS, HARDSCAPE FEATURES, SEATING AREAS, BENCHES, AND/OR ENHANCED LANDSCAPING.

ELEVATIONS ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE DUE TO BUILDING STANDARDS AND CONSTRUCTION DOCUMENT REVIEW.

1. GENERAL PROVISIONS
THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY KINGER HOMES, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL TOWNHOME COMMUNITY ON APPROXIMATELY 3.701 ACRES SITE LOCATED ON 10701 MALLARD CREEK ROAD, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 029-36-111.

DEVELOPMENT OF THE SITE SHALL 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-12MF ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON 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 PUBLIC STREETS AND THE INTERNAL PRIVATE STREETS, ALLEYS OR DRIVES 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.

2. PERMITTED USES AND MAXIMUM DEVELOPMENT
THE SITE MAY BE DEVELOPED WITH UP TO 34 SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES), TOGETHER WITH ANY INCIDENTAL AND ACCESSORY USES RELATED THERETO THAT ARE ALLOWED IN THE R-12MF ZONING DISTRICT.

3. TRANSPORTATION
A) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY NCDOT FOR APPROVAL.

B) AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY PUBLIC AND/OR PRIVATE STREETS.

C) INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ALONG ALL PUBLIC AND PRIVATE STREETS THROUGHOUT THE SITE. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

D) WHERE NECESSARY, PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN. THE RIGHT-OF-WAY SHALL BE SET AT 50 FEET FROM CENTERLINE WHERE FEASIBLE.

E) ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED AS NEEDED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS AND PHASING ARE EXPLICITLY DESCRIBED IN SITE PLAN NOTES.

F) WHERE NECESSARY, PETITIONER SHALL COMMIT TO DEDICATING A MINIMUM OF 50 FEET OF RIGHT-OF-WAY FROM THE EXISTING MALLARD CREEK ROAD CENTERLINE AS SHOWN ON THE SITE PLAN.

G) PETITIONER COMMITS TO ROAD IMPROVEMENTS AND RECOMMENDATIONS FROM THE RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS CURRENTLY UNDERSTOOD THAT ROAD IMPROVEMENTS WILL CONSIST OF ADDITION OF A RIGHT LANE/TURN LANE AND A TWO WAY CENTER LEFT TURN LANE. FINAL DESIGN AND CONFIGURATION OF ROAD IMPROVEMENTS IS SUBJECT TO THE CONSTRUCTION DOCUMENT REVIEW, IF THIS PETITION IS APPROVED.

H) PETITIONER COMMITS TO CONSTRUCT AN 8-FOOT PLANTING STRIP, AND 12-FOOT SIDEWALK ALONG FRONTAGE OF MALLARD CREEK ROAD PER CITY OF CHARLOTTE ZONING ORDINANCE.

I) ALL PUBLIC ROADWAY IMPROVEMENTS SHOWN ARE GENERALLY DEPICTED AND WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AND THE ROADWAY IMPROVEMENTS WITH THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTH EASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

4. ARCHITECTURAL STANDARDS
A) THE PRIMARY EXTERIOR BUILDING MATERIALS TO BE CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, AND CEMENTITIOUS SIDING.

B) EACH ATTACHED RESIDENTIAL DWELLING UNIT SHALL BE PROVIDED WITH AT LEAST A 2 CAR GARAGE.

C) TOWNHOUSE BUILDINGS WILL BE LIMITED TO 6 INDIVIDUAL UNITS OR FEWER AND WILL BE DIFFERENTIATED BETWEEN UNITS, INCLUDING, BUT NOT LIMITED TO, FORWARD OFFSETS IN THE FRONT WALLS OF UNITS, VERTICAL HEIGHT DIFFERENCES, OR ARCHITECTURAL DIFFERENCES IN ELEVATIONS (SUCH AS WINDOWS, DOORS, BAYS, TRIM, OR MATERIALS).

D) USABLE PORCHES AND STOOPS ALONG UNITS FRONTING MALLARD CREEK ROAD SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. USABLE FRONT PORCHES, WHEN PROVIDED, SHALL BE COVERED AND BE AT LEAST 6 FEET DEEP. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHALL NOT BE ENCLOSED.

E) TO PROVIDE PRIVACY, ALL RESIDENTIAL ENTRANCES WITHIN 15 FEET OF THE SIDEWALK MUST BE RAISED FROM THE AVERAGE SIDEWALK GRADE A MINIMUM OF 24 INCHES.

F) 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.

G) ALL CORNER/END UNITS THAT FACE A PUBLIC OR PRIVATE STREET SHALL HAVE A PORCH OR STOOP THAT WRAPS A PORTION OF THE FRONT AND SIDE OF THE UNIT OR PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET ON ALL BUILDING LEVELS.

H) GARAGE DOORS PROPOSED ALONG PUBLIC OR PRIVATE STREETS SHALL MINIMIZE THE VISUAL IMPACT BY PROVIDING A SETBACK OF 12 TO 24 INCHES FROM THE FRONT WALL PLANE AND ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING.

I) WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS.

5. OPEN SPACE, STREETScape AND LANDSCAPING
A) THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE AND POST CONSTRUCTION STORMWATER ORDINANCE.

B) 15% TREE SAVE TO BE PRESERVED ON SITE.

6. LIGHTING
A) ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.

B) THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE, EXCLUDING STREET LIGHTS LOCATED ALONG PUBLIC STREETS, SHALL BE 21 FEET.

7. AMENDMENTS TO REZONING PLAN
FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

FURTHER ALTERATIONS OR MODIFICATIONS TO THIS REZONING PLAN WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE TECHNICAL DATA SHEET OR ANY OF ITS CONDITIONS OR WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

8. 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) THE CURRENT REQUESTED LOCATION OF THE STORMWATER MANAGEMENT SYSTEM WILL NEED TO PROVIDE FENCING AND ENHANCED LANDSCAPING ALONG SIDES THAT ADJUT RESIDENTIAL DWELLINGS OR ROADWAYS. THE ENHANCED LANDSCAPING AT MINIMUM SHALL BE 5FT WIDE PLANTED TO 2 TREES PER 100LF AND 10 SHRUBS PER 100LF. FENCING AT MINIMUM MUST BE 5FT IN HEIGHT AND MUST BE A MINIMUM 50% OPAQUE. THE FENCE SHALL NOT BE MADE OF CHAIN LINK MATERIALS. IN THE EVENT OF DESIGN CONSTRAINTS AND ADEQUATE SPACING FOR LANDSCAPING, THE ENHANCED LANDSCAPING SHALL BE OMITTED OR ADJUSTED.

C) DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE.

D) DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE TREE ORDINANCE.

E) THE PETITIONER SHALL TIE-INTO AND ANALYZE THE ADEQUACY OF THE EXISTING STORMWATER CONVEYANCE ACROSS PARCELS RECEIVING STORMWATER DISCHARGE FROM THE SITE. THE LIMITS OF ANALYSIS SHALL EXTEND TO THE DOWNSTREAM SIDE OF THE PARCEL, ADDRESSED AS 3000 PARKER GREEN TRAIL OR TO THE REZONING SITE IF LESS THAN 10% OF THE TRIBUTARY DRAINAGE AREA, WHICHEVER CRITERION CREATES THE LONGEST ANALYSIS LIMITS. IF THE EXISTING STORMWATER CONVEYANCE WITHIN THE SPECIFIED ANALYSIS LIMITS IS FOUND TO BE INADEQUATE, THE PETITIONER SHALL MAKE A GOOD FAITH EFFORT WITH THE PROPERTY OWNER(S) TO IMPROVE THE STORMWATER CONVEYANCE OR OTHERWISE MITIGATE IMPACTS OF THE STORMWATER DISCHARGE WITHIN THE SPECIFIED ANALYSIS LIMITS.

9. FIRE
A) FIRE DEPARTMENT ACCESS ROAD SHALL BE CAPABLE OF SUPPORTING 80,000 POUNDS.

B) TURN RADIUS 36' INSIDE AND 42' OUTSIDE.

C) FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF BUILDING AS TRUCK TRAVEL FOR ALL BUILDINGS.

D) FOR TOWNHOMES, ISO NEEDED FIRE FLOW TOWNHOMES:
1) TOWNHOMES NOT EXCEEDING 2 STORIES IN HEIGHT, THE REQUIRED FIRE FLOW IS 1500 GPM.
2) TOWNHOMES NOT EXCEEDING 3 STORIES IN HEIGHT AND A FIRE AREA OF 2500 SQ. FT. OR LESS, THE REQUIRED FIRE FLOW IS 1750 GPM.
3) TOWNHOMES NOT EXCEEDING 3 STORIES IN HEIGHT AND A FIRE AREA OF GREATER THAN 2500 SQ. FT. THE REQUIRED FIRE FLOW IS 2000 GPM.

10. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
A) IF THIS REZONING PLAN IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

NORTH ARROW

NOT FOR CONSTRUCTION
REZONING PURPOSES ONLY

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EX01-REZONING-2021-002.DWG
PROJECT NUMBER: 2021-002
DATE: 11/01/2021 DRAWN BY: TSG

REVISIONS:

REZONING - CONDITIONS
PETITION #2021-146
THE VILLAGES AT MALLARD CREEK
10701 MALLARD CREEK RD., CHARLOTTE, NC



EX03