

SITE DEVELOPMENT DATA:

- ACREAGE: 2.25-46 ACRES
- TAX PARCEL #S: 199-061-18; 199-061-20; 199-061-09
- EXISTING ZONING: R-3
- PROPOSED ZONING: MX-2 (INNOV) AND NS
- EXISTING USES: RESIDENTIAL
- PROPOSED USES: RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MX-2 ZONING DISTRICT IN DEVELOPMENT AREA A; AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT IN DEVELOPMENT AREA B, BOTH AS DESCRIBED IN MORE DETAIL IN SECTION 2 BELOW.
- MAXIMUM GROSS SQUARE FEET/ UNITS OF DEVELOPMENT: A MAXIMUM OF 160 DETACHED AND ATTACHED FOR-RENT DWELLING UNITS, AS ALLOWED BY THE SQUARE FEET OF RETAIL AND/OR OFFICE USES AS ALLOWED BY THE NS ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: PERMITTED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE.
- SETBACKS & YARDS: SHALL BE AS REQUIRED BY THE ORDINANCE OR DESCRIBED IN THE DEVELOPMENT STANDARDS AND GENERALLY DEPICTED ON THE REZONING PLAN.

1. GENERAL PROVISIONS:

A. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MILL CREEK RESIDENTIAL, (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 25.46 ACRE SITE LOCATED ON STEELE CREEK ROAD (THE "SITE").

B. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE COVERED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN MODIFIES THE STANDARDS UNDER THE INNOVATIVE PROVISIONS OR MORE STRINGENT STANDARDS AS PART OF THE CONDITIONAL SITE PLAN, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 AND NS ZONING CLASSIFICATIONS SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE PROVISIONS PROVIDED BELOW.

D. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREAS (AS DEFINED BELOW), OPEN SPACE AREAS 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. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WILL INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

- i. EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS);
- ii. MINOR AND DO NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

2. PERMITTED USES AND DEVELOPMENT AREA LIMITATIONS:

- a. DEVELOPMENT OF THE SITE SHALL BE PERMITTED AS FOLLOWS:
 - i. DEVELOPMENT AREA A: A MAXIMUM OF 160 ATTACHED AND/OR DETACHED DWELLING UNITS AS ALLOWED BY THE MX-2 ZONING DISTRICT AND THE INNOVATIVE PROVISIONS BELOW ARE ALLOWED ON THE SITE. THE UNITS WILL BE FOR RENT.
 - ii. DEVELOPMENT AREA B: A MAXIMUM OF 7,700 SQUARE FEET OF RETAIL AND/OR OFFICES USES AS ALLOWED BY THE NS ZONING DISTRICT. THE FOLLOWING USES ARE PROHIBITED:
 - ACCESSORY DRIVE-THROUGHS,
 - AUTOMOBILE SERVICE STATIONS,
 - EQUIPMENT RENTAL AND LEASING, WITHIN AN ENCLOSED BUILDING,
 - FUNERAL HOMES AND EMBALMING,
 - TATTOO ESTABLISHMENT

3. INNOVATIVE PROVISIONS:

AS PART OF THE APPROVAL OF THIS PETITION, THE PETITIONER SEEKS THE FOLLOWING INNOVATIVE PROVISIONS:

- a. STREET TYPE AND CONSTRUCTION STANDARDS
 - i. INTERNAL PRIVATE STREETS SHALL HAVE PUBLIC ACCESS EASEMENTS.
 - ii. THE SECTION OF THESE ROADS WILL BE TWO 10' LANES, 2'6" CURB AND GUTTER, TOTAL BACK OF CURB TO BACK OF CURB - 25'
 - iii. NO MINIMUM LOT SIZE
 - iv. NO MINIMUM LOT WIDTH
 - v. A MINIMUM BUILDING SEPARATION OF SEVEN (7) FEET MUST BE MAINTAINED
- b. PUBLIC STREET FRONTAGE
 - i. NOT REQUIRED FOR INDIVIDUAL UNITS. FRONTAGE WILL BE REVIEWED AS ONE UNIFIED DEVELOPMENT (TO ADDRESS THE ISSUE THAT EVERY LOT MUST ABUT A STREET)
 - ii. INDIVIDUAL UNITS WILL NOT BE REQUIRED TO HAVE FRONTAGE ON PRIVATE STREETS.
- iii. ALL UNITS WILL COMPLY WITH THE 400' RULE (ALL UNITS WITHIN 400' OF A PUBLIC OR PRIVATE STREET)
 - c. SETBACKS AND YARDS
 - i. REDUCTION OF SETBACK ALONG PRIVATE STREET A TO SIXTEEN (16) FEET AS MEASURED FROM BACK OF CURB
 - ii. PUBLIC STREET B AND PRIVATE STREET C TO HAVE A SETBACK OF FOURTEEN (14) FEET FROM BACK OF CURB (EIGHT (8) FOOT PLANTING STRIP, SIX (6) FOOT SIDEWALK)
 - iii. ALL YARDS AND SETBACKS WILL BE PROVIDED FOR THE OVERALL PARCEL AND NOT APPLIED TO INDIVIDUAL UNITS. IN THIS CASE:
 - STEELE CREEK ROAD - THIRTY (30) FOOT SETBACK
 - NO OTHER SETBACKS WILL BE PROVIDED

4. TRANSPORTATION IMPROVEMENTS:

- i. CDOT AND NCDOT STANDARDS. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN 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 SOUTHWESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
- ii. RIGHT-OF-WAY CONVEYANCE. IF APPLICABLE BUT ONLY TO THE EXTENT APPLICABLE, 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. PETITIONER WILL PROVIDE A PERMANENT SIDEWALK UTILITY EASEMENT FOR ANY OF THE PROPOSED SIDEWALK/MULTI-USE PATH LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK UTILITY EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

A MINIMUM OF FIFTY (50) FEET OF RIGHT-OF-WAY WILL BE DEDICATED AND CONVEYED TO CDOT/NCDOT IN ACCORDANCE WITH THE CROSS SECTION ASSOCIATED WITH STIP U-5766 ALONG THE SITE'S FRONTAGE FROM THE CENTERLINE OF STEELE CREEK RD.

b. TRANSPORTATION IMPROVEMENTS. THE PETITIONER WILL CONSTRUCT REQUIRED ROADWAY IMPROVEMENTS LISTED BELOW AND PROVIDE ANY REQUIRED SIDEWALK AND UTILITY EASEMENTS NEEDED FOR THESE IMPROVEMENTS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY WITHIN EACH DEVELOPMENT AREA WHERE THE IMPROVEMENTS ARE PROVIDED, SUBJECT TO THE PETITIONER'S ABILITY TO REQUEST THAT CDOT OR NCDOT ALLOW A BOND TO BE POST FOR ANY ROADWAY IMPROVEMENTS NOT FINALIZED AT THE TIME OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS ALLOWED BY CITY REGULATIONS.

i. PETITIONER SHALL PROVIDE A LEFT HAND TURN WITH 150 FEET OF STORAGE, AND A RIGHT TURN LANE WITH 100 FEET OF STORAGE, ON STEELE CREEK ROAD AT THE INTERACTION WITH PRIVATE STREET C.

5. ACCESS AND PEDESTRIAN CIRCULATION:

- a. ACCESS TO THE SITE WILL BE FROM STEELE CREEK ROAD AND FROM THE PROPOSED PUBLIC STREETS AS GENERALLY DEPICTED ON SHEET RZ2.
- b. THE NUMBER AND LOCATION OF ACCESS POINTS TO THE INTERNAL PUBLIC/PRIVATE

STREET AND DRIVES WILL BE DETERMINED DURING THE BUILDING PERMIT PROCESS AND THEREAFTER ADDITIONAL OR FEWER DRIVEWAYS AND/OR ADDITIONAL STREETS MAY BE INSTALLED OR REMOVED WITH APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS.

c. 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.

6. GENERAL ARCHITECTURAL STANDARDS AND PARKING LOCATION RESTRICTIONS:

a. THE COMMERCIAL NONRESIDENTIAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS (OTHER THAN STRUCTURED PARKING FACILITIES, IF ANY) WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDY-PLANK), EIFS OR WOOD. VINYL AS A PRIMARY BUILDING MATERIAL WILL NOT BE ALLOWED EXCEPT ON WINDOWS, BALCONY RAILINGS, ON TRIM ELEMENTS, AND SOFFITS.

b. RESIDENTIAL BUILDINGS SHALL ADHERE TO THE FOLLOWING STANDARDS:
i. PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 20' ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, MATERIAL OR COLOR CHANGES, AND/OR ARCHITECTURAL DESIGN ELEMENTS.

ii. THE FRONT ELEVATION OF EACH DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE DWELLING UNIT.

iii. UNITS WITH GARAGES WILL NOT BE ALLOWED TO HAVE INDIVIDUAL DRIVEWAYS FROM NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE). UNITS WITH GARAGES MAY HAVE ACCESS AND FRONT ON AN ALLEY OR NON-NETWORK PUBLIC OR PRIVATE STREET.

iv. USABLE PORCHES AND/OR STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING WHEN POSSIBLE. USABLE FRONT PORCHES, WHEN PROVIDED, SHOULD BE COVERED AND BE AT LEAST 5 FEET DEEP. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHOULD NOT BE ENCLOSED. STOOPS ARE NOT REQUIRED TO BE 5' MINIMUM DEPTH BUT SHALL HAVE A COVERING OVER THE ENTRY DOOR. PORCHES AND STOOPS FRONTING ON THE INTERIOR PRIVATE STREETS AND PARKING AREAS WILL BE LOCATED BEHIND THE SIDEWALK. UNITS WITH FRONTAGE ONLY ON THE INTERNAL PARKING AREAS OR PRIVATE ALLEYS ARE NOT REQUIRED TO PROVIDE A PORCH OR A STOOP.

7. STREETScape, LANDSCAPING AND BUFFER:

d. SETBACK AND YARDS AS REQUIRED BY THE STANDARDS OF THE MX-2 ZONING DISTRICT IN DEVELOPMENT AREA A AND THE NS ZONING DISTRICT IN DEVELOPMENT AREA B, UNLESS MODIFIED BY THE INNOVATIVE PROVISIONS WILL BE PROVIDED.

e. A TWELVE (12) FOOT SHARED USE PATH ALONG THE SITE'S FRONTAGE OF STEELE CREEK ROAD SHALL BE PROVIDED.

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 FROM AN ENGINEERING PERSPECTIVE WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

B. THE SITE WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE CITY POST CONSTRUCTION STORMWATER ORDINANCE FOR EACH RESPECTIVE ZONING DISTRICT.

C. POO REQUIRED OPEN SPACE MAY BE COMBINED INTO OVERALL REZONING BOUNDARY IN EVENT THE PROJECT IS PHASED OR PERMITTED SEPARATELY FOR EACH RESPECTIVE ZONING DISTRICT.

9. OPEN SPACE:

A. A MINIMUM OF 10% OF THE SITE WILL BE SET ASIDE AS COMMON OPEN SPACE AS REQUIRED BY THE MX-2 ZONING DISTRICT. AREAS OF THE REQUIRED COMMON OPEN SPACE WILL BE IMPROVED WITH ACTIVE OR PASSIVE OPEN SPACE AMENITIES SUCH AS AMENITIES MAY INCLUDE BENCHES, SEAT WALLS, PLAY EQUIPMENT, TRAILS, IMPROVED LANDSCAPING, GRILLING AREAS AND/OR OTHER FEATURES TO ENCOURAGE GATHERING OR USE OF OUTDOOR AREAS.

10. SIGNAGE:

A. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

11. LIGHTING:

A. ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, AND DOWNWARDLY DIRECTED.

12. AMENDMENTS TO THE REZONING PLAN:

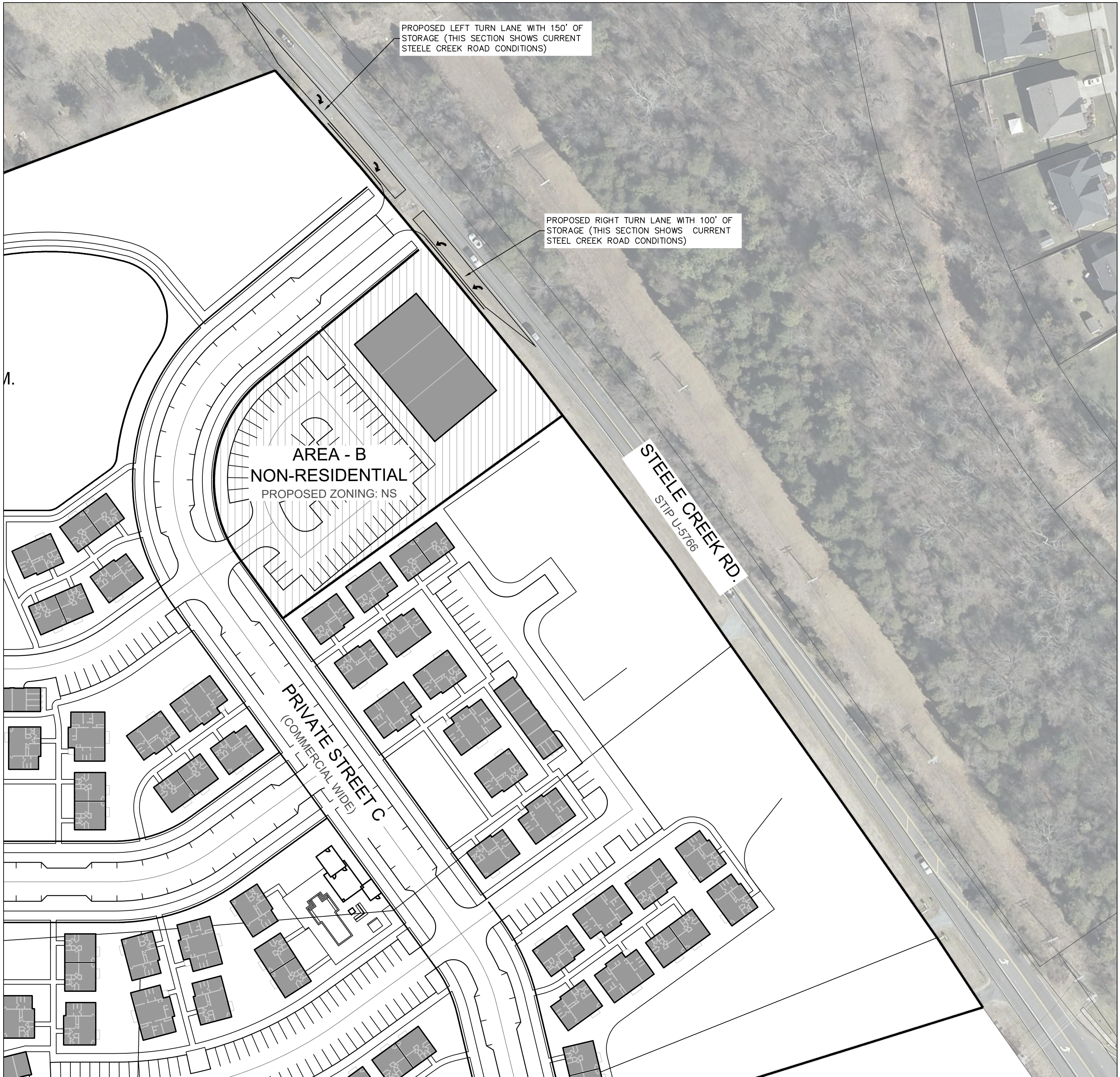
A. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

13. 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 HEREIN AND 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.

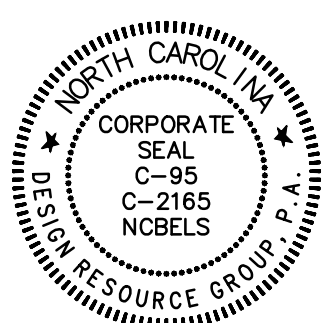
B.

EXISTING STEELE CREEK ROAD CONDITIONS WITH IMPROVEMENTS



LANDSCAPE ARCHITECTURE
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2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
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REZONING PETITION
FOR PUBLIC HEARING
2021-249

REZONING DOCUMENTS

STEELE CREEK
CHARLOTTE, NORTH CAROLINA
MILL CREEK RESIDENTIAL
101 W. WORTHINGTON AVE., SUITE 210
CHARLOTTE, NC 28203
704.833.8415

DEVELOPMENT
STANDARDS

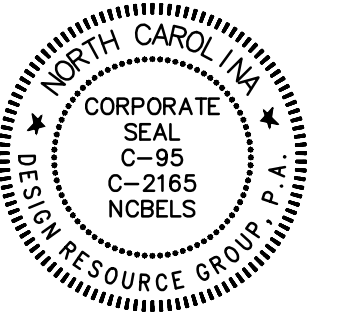
SCALE: N.T.S.

PROJECT #: 870-007
DRAWN BY: DK
CHECKED BY: TH

APRIL 11, 2022

REVISIONS:
1. PER STAFF COMMENTS_04.11.22

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REZONING PETITION
FOR PUBLIC HEARING
2021-249

REZONING DOCUMENTS

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CHARLOTTE, NORTH CAROLINA

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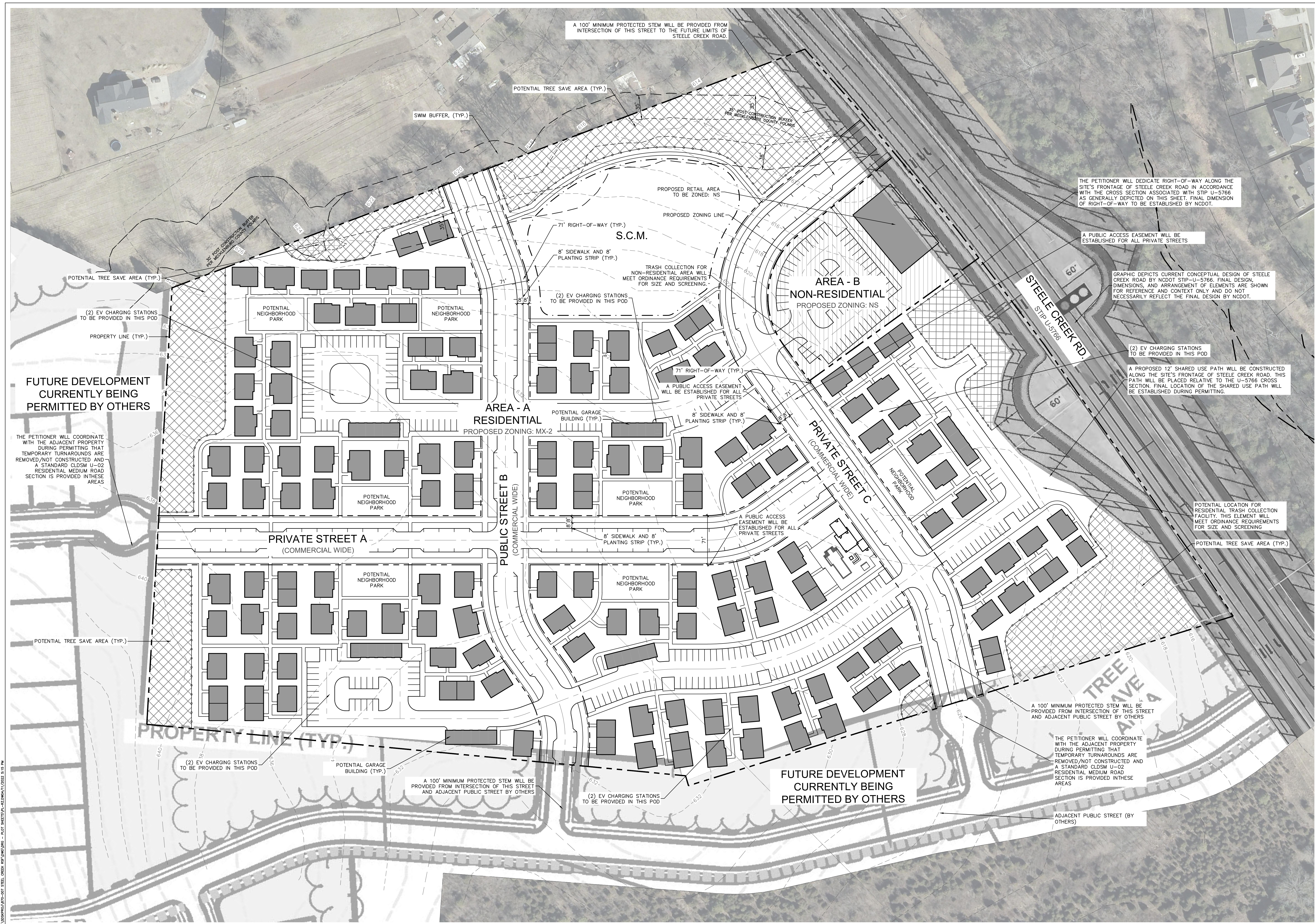
SCHEMATIC
SITE PLAN

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SCALE: 1" = 60'

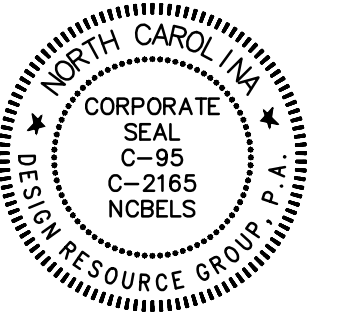
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DRAWN BY: DK
CHECKED BY: TH

APRIL 11, 2022

REVISIONS:
1. PER STAFF COMMENTS_04.11.22



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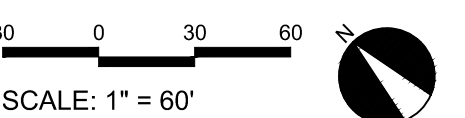
REZONING PETITION
 FOR PUBLIC HEARING
 2021-249

REZONING DOCUMENTS

STEELE CREEK
 CHARLOTTE, NORTH CAROLINA

MILL CREEK RESIDENTIAL
 101 W. WORTHINGTON AVE., SUITE 210
 CHARLOTTE, NC 28203
 704.833.8415

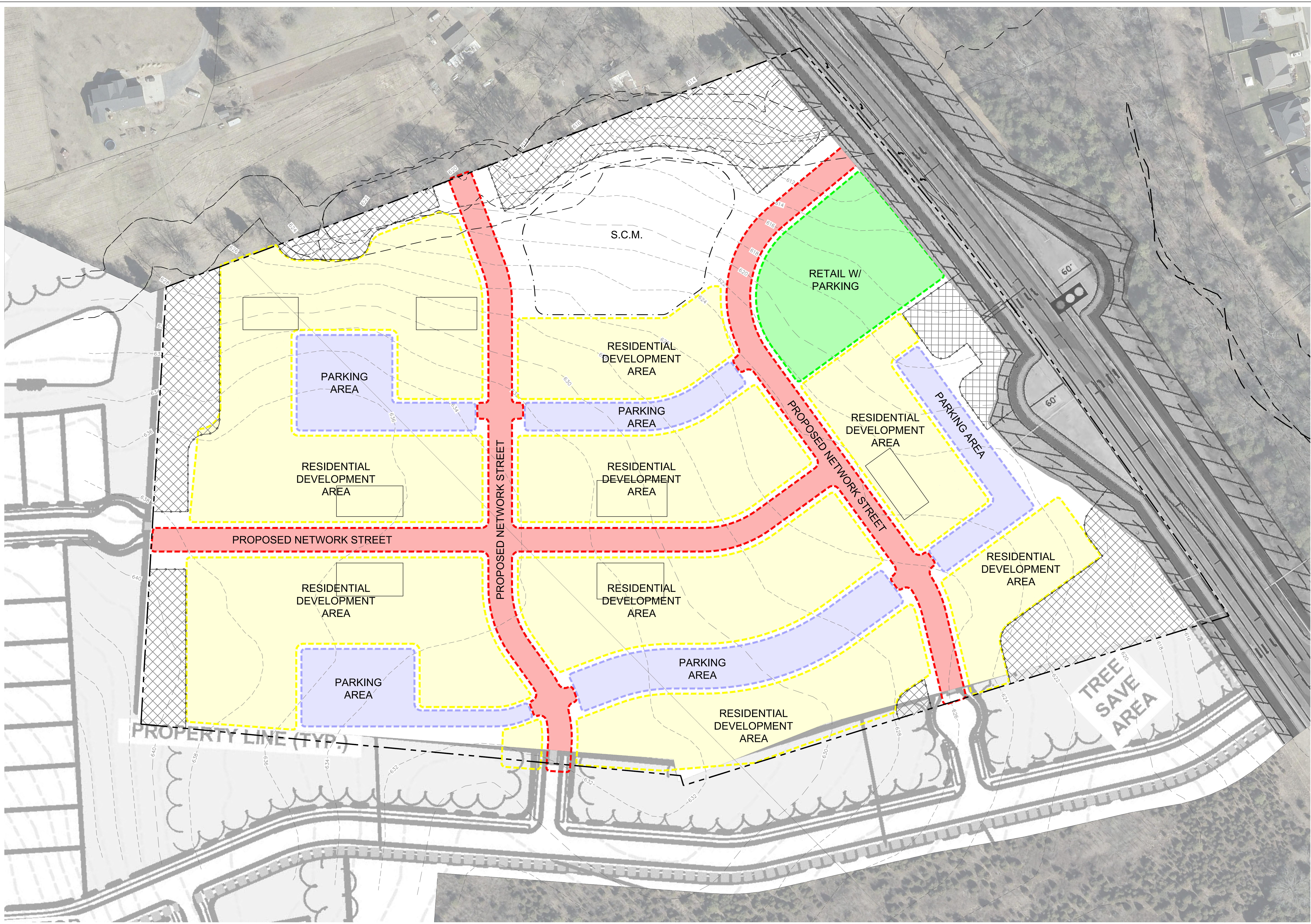
**SCHEMATIC
 SITE PLAN**



PROJECT #: 870-007
 DRAWN BY: DK
 CHECKED BY: TH

APRIL 11, 2022

REVISIONS:
 1. PER STAFF COMMENTS_04.11.22



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