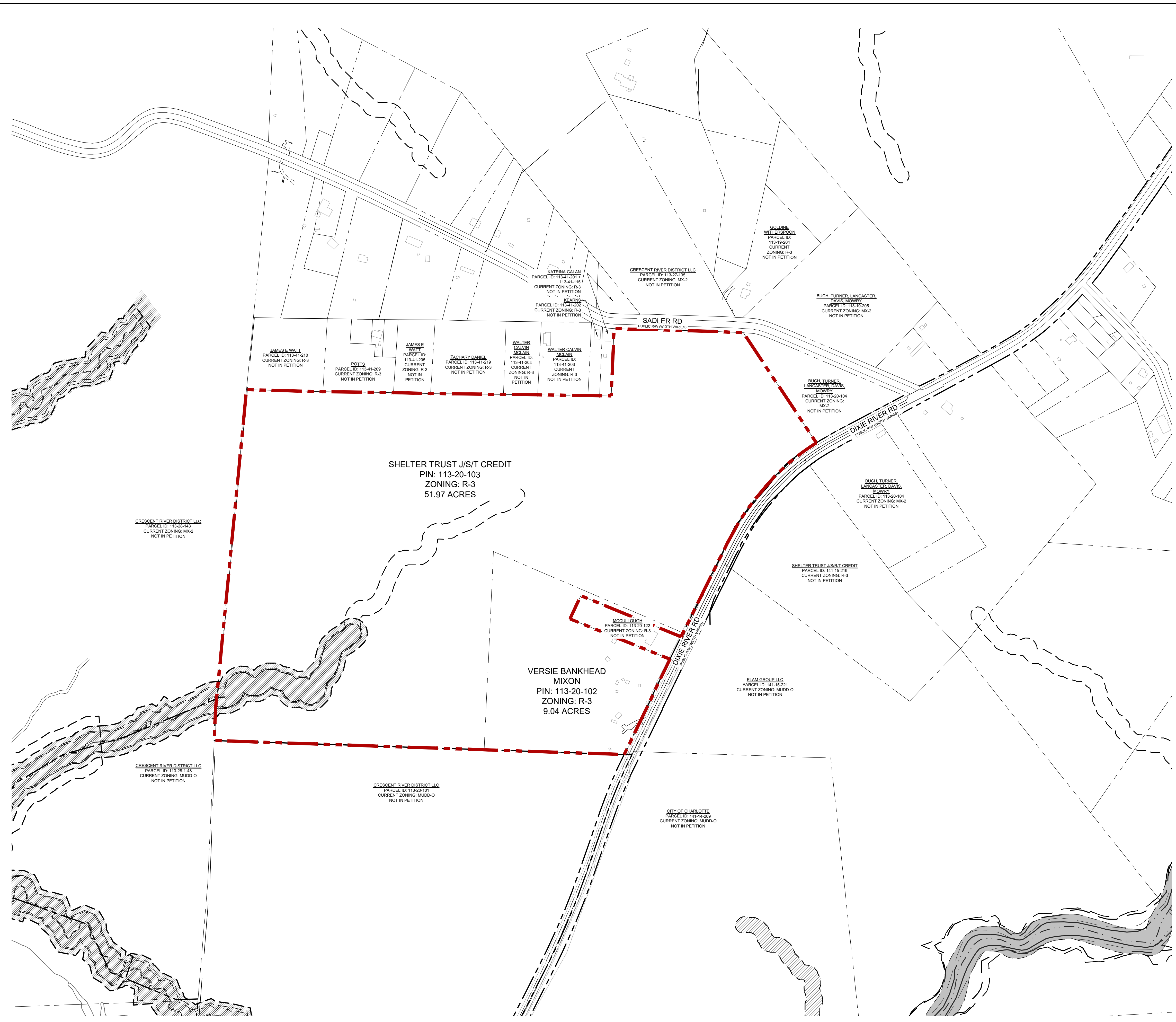


SEAL



NOT FOR CONSTRUCTION

RIVER NORTH PETITION # 2021-279

CRESCENT COMMUNITIES
601 SOUTH TRYON ST SUITE 800
CHARLOTTE, NC 28202

LANDDESIGN PROJ.# 1018700P

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	2ND REZONING SUBMITTAL	06.13.2022
2	3RD REZONING SUBMITTAL	08.15.2022
3	4TH REZONING SUBMITTAL	09.12.2022

DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM

SCALE: NORTH
VERT: N/A
HORZ: 1" = 200'
0 100 200 400

SHEET TITLE
EXISTING CONDITIONS

SHEET NUMBER
RZ-1.0

**Crescent Communities – McLawhorn
Development Standards
9/12/2022
Rezoning Petition No. 2021-279**

Site Development Data:

- Acreage: ± 61 acres
- Tax Parcel #: 113-20-102 and 113-20-103
- Existing Zoning: R-3
- Proposed Zoning: MX-2 (Innovative)
- Existing Uses: Vacant
- Proposed Uses: Residential uses as permitted by right and under prescribed conditions together with accessory uses as allowed in the MX-2 (Innovative) district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square Feet/ Units of Development: Up to four hundred eighty-eight (488) residential dwelling units of all types may be developed on the Site, in accordance with the Innovative Provisions described below, and provided, however, the total aggregate number of permitted single family detached residential dwelling units shall not exceed one hundred fifty (150) such residential dwelling units.
- Maximum Building Height: Building height as specified by the Ordinance will be allowed. Building height will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance.

I. 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 Crescent Communities ("Petitioner") to accommodate development of a residential community on the approximately sixty-one (61) acre site located off of Dixie River Road near its intersection with Sadler Road (the "Site") within the overall area commonly referred to as the River District (but located just outside of the area located within the River District rezoning of Petition # 2016-056, herein the "River District Rezoning Area").
- 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 MX-2 (Innovative) zoning classification shall govern all development taking place on the Site, subject to the Innovative Provisions provided below.
- c. **Development Areas.** For ease of reference and as an organizing principal associated with the master planned community, the Rezoning Plan sets forth two (2) general development areas (and other sub-areas within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A and B, (each a "Development Area" and collectively the "Development Areas"). The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan.
- 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

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Elements") set forth on the Rezoning Plan shall 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 would 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); or
- ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or buffer areas) indicated on Sheet RZ-2.

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.

e. **Number of Buildings Principal and Accessory; Accessory Building Design.** Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the maximum number of principal buildings to be developed in each Development Area shall be one hundred fifty (150) principal buildings. Accessory buildings and structures located on the Site, including, without limitation, the community clubhouse, picnic/gathering pavilions, recreation and related uses, equipment storage structures and the like shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing generally similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

f. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the Development/Site Elements, Development Areas and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, public/private street frontage requirements, and other similar zoning/subdivision standards will not be required internally between improvements and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the applicable portion of the Site under development reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to as a whole and not individual portions, Development Areas or lots located therein.

g. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured

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parking facilities (including, without limitation, corridors and elevators within such facilities), and outdoor dining and gathering areas whether on the roof of the building or at street level.

2. Lot Standards and Innovative Provisions for MX-2 (Innovative) Area:

- a. **Single-Family Detached.** The Petitioner hereby seeks the following Innovative Development Standards in connection with single-family detached development taking place within Development Areas A and B to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly residential community. It is understood that certain provisions listed below are standard ordinance requirements and are included within this section for ease of review.
 - i. A minimum lot size for single-family detached lots of 2,500 square feet.
 - ii. A minimum lot width for single-family detached lots of thirty feet (30').
 - iii. A minimum front setback for single-family detached lots of ten feet (10') as measured from the proposed public right-of-way; in the event a driveway is provided without a garage, the setback shall be increased to fifteen (15) feet. If a garage is provided, the garage face will comply with the Chapter 12 of the Ordinance.
 - iv. A minimum rear yard for single-family detached lots of twenty feet (20') unless lot has alley access in which a rear yard of five feet (5') is allowed;
 - v. A minimum side yard of five feet (5') for single family detached lots (including along public streets);
 - v. Single-family detached lots may front on public or private streets (if private streets are used they will not be gated) or common open space;
 - vii. Private alleys shall follow CLDSM standards; and
 - viii. Maximum building coverage for single family detached shall be seventy (70%) percent.

b. **Single-Family Attached.** The Petitioner hereby seeks the following Innovative Development Standards in connection with single-family attached development taking place within Development Areas A and B to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly residential community:

- i. A minimum lot size for single-family attached lots of one thousand seven hundred (1,700) sf.
- ii. A minimum lot width for single-family attached lots of fifteen (15') feet.
- iii. Petitioner shall provide a minimum setback of at least fourteen (14') feet from the proposed right-of-way for both front-loaded units and alley-loaded single-family attached units fronting public streets. Stoops and stairs may encroach three (3) feet into the setback as a "transition zone."
- iv. For alley loaded single-family attached units, driveway lengths shall be a minimum of 5-7' or 20' and greater measured from the back of curb to face of garage.

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- v. For front loaded single-family attached units, driveway lengths shall be a minimum of twenty-two (22') feet measured from the proposed right-of-way to face of garage.
- vi. A minimum rear yard for single-family attached lots of twenty (20') feet unless lot has alley access in which a rear yard of five (5') feet is allowed.
- vii. A minimum side yard of five (5') feet for single family attached lots (including along public streets).
- viii. Minimum building width of seventy-five (75') feet for single family attached lots may be allowed.
- ix. Private alleys shall follow CLDSM standards.
- x. Single-family attached lots may front on public or private streets (if private streets are used they will not be gated) or common open space.

c. In addition, the Petitioner reserves the right to modify the Innovative Provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

3. Permitted Uses, Development Area Limitations, and Transfer & Conversion Rights:

a. The Site may be developed with up to four hundred eighty-eight (488) residential dwelling units of all types, in accordance with the Innovative Provisions described above, provided that the total aggregate number of permitted single family detached residential dwelling units shall not exceed one hundred fifty (150) such residential dwelling units; each such use as allowed by right and under prescribed conditions, together with accessory uses as permitted in the MX-2 Innovative zoning district, including, without limitation, community clubhouse, recreation, open space and related uses (e.g. improved passive and active open spaces, /gathering shelters, gazebos, ball fields, maintenance buildings, outdoor recreational uses, and other uses typically associated with residential communities). The permitted uses within Development Areas A and B are set forth below but in no event shall the total number of all types of residential dwelling units exceed four hundred eighty-eight (488) units.

b. Development Area A may be developed with single family detached and/or single family attached residential dwelling units together with accessory uses as described above, but no multi-family dwelling units may be developed within Development Area A.

c. Development Area B may be developed with single family detached residential dwelling units, single family attached residential dwelling units and/or multi-family residential dwelling units together with accessory uses as described above.

4. Transportation Improvements and Access:

I. Proposed Improvements –

Improvements Generally. The Petitioner may provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below in accordance with the following implementation provisions. It is understood the following section and specific improvements may be amended to align with final approved Transportation Impact

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Study. All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.

a. Required Improvements:

- (i) **West Boulevard & I-485 Inner Ramps (Unsignalized) –**
 - Install a traffic signal
 - Restripe the existing northbound leg to allow for a combined thru-left turn lane and a separate right-turn lane on the I-485 Inner Off-Ramp from one hundred thirty-five (135) feet to two hundred fifty (250) feet of storage
- (ii) **Dixie River Road & Access "A" (Unsignalized) –**
The following right-in/right-out access configuration shall be provided:
 - One ingress lane and one egress lane (a terminating eastbound right turn lane on proposed Access "A").
 - Construct a median on Dixie River Road to ensure the access is limited to right-in/right-out.
 - One hundred (100) foot internal protected stem.
- (iii) **Dixie River Road & Access "B" (Unsignalized) –**
The following full movement access configuration shall be provided:
 - One ingress lane and one egress lane (a combined eastbound left-right turn lane on proposed Access "B")
 - Construct a northbound left turn lane on Dixie River Road with one hundred (100) feet of storage
 - One hundred (100) foot internal protected stem.
- (iv) **Sadler Road & Access "C" –**
The following full movement access configuration shall be provided:
 - One ingress lane and one egress lane (a combined northbound left-right turn lane on proposed Access "C").
 - One hundred (100') foot internal protected stem.

b. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.1.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with the development improvements described above, then CDOT may instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

c. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60-day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other

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applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with the development improvements described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

In addition to the foregoing, in the event the right of way is not available for any reason after the good faith efforts of the Petitioner, the Petitioner will work with CDOT and/or NCDOT as applicable to either (i) identify alternative improvements to implement traffic mitigation in lieu of the improvements impacted by the lack of right of way as described in subsection f, below; or (ii) contribute to CDOT and/or NCDOT as applicable, an amount equal to the estimated cost of the road improvements not completed due to the lack of available right of way, such funds to be used to complete such alternative roadway improvements in the general area of the Site in a manner reasonable agreeable to the Petitioner, CDOT and/or NCDOT as applicable.

d. **Right-of-way Conveyance.** 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 sidewalks located along the public streets located outside of the right-of-way where ROW dedication is not provided. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition in the overall area of the rezoning.

For example, transportation improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in subsection (d) above.

f. **Roadway 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 northwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

II. Access –

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KEY MAP

SEAL

**NOT FOR
CONSTRUCTION**

PROJECT

**RIVER NORTH
PETITION #
2021-279**

CRESCENT COMMUNITIES

601 SOUTH TRYON ST SUITE 800

CHARLOTTE, NC 28202

LANDESIGN PROJ.#
1018700P

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DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM

SCALE NORTH

VERT: N/A
HORZ:

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-3.0

- a. Access to the Site will be from Dixie River Road and Sadler Road as well as other public street extensions and connections made from the Site and into the Site from adjoining properties as generally depicted on Sheet [RZ1].
- b. The number and location of access points to the internal public streets will be determined during the building permit process and thereafter additional or fewer driveways and/or additional private/public 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.

5. General Architectural Standards and Parking Location Restrictions:

- a. Vinyl as a building material will not be allowed except on windows and soffits.
- b. The following standards shall apply to the multi-family residential units:
 - i. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of thirty (30%) percent 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.
 - ii. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
 - 1. Buildings shall be placed so as to present a front or side façade to all network required streets (public or private)
 - 2. Buildings shall front a minimum of sixty (60%) percent of the total network required street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities)
 - 3. Parking lots shall not be located between any building and any network required public or private street
 - 4. Driveways intended to serve single units shall be prohibited on all network required streets
- c. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - Buildings exceeding one hundred twenty (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 ten (10') feet wide and shall project or recess a minimum of 6 feet extending through the building.
- d. Townhouse and Attached Single Family buildings fronting public or private network required streets shall be limited to five individual units or fewer. The number of individual units per

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building shall be varied in adjacent buildings if multiple five unit buildings are adjacent to each other.

- e. The following standards shall apply to single family attached and townhome residential units:
 - i. To provide privacy, all residential entrances within fifteen feet of the sidewalk must be raised from the average sidewalk grade a minimum of twenty-four inches.
 - ii. Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
 - iii. Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building.
 - iv. Usable front porches shall be covered and be at least six feet deep. Stoops and entry-level porches shall be covered and be at least three feet deep but shall not be enclosed.
 - v. 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 ten feet on all building levels.
 - vi. Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets.
 - vii. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
 - viii. 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 twenty (20%) percent Preferred Exterior Building Materials.
 - Meter banks will be screened from adjoining properties and from the abutting public streets.
 - ix. Garage doors proposed along public or private streets shall minimize the visual impact by providing one or more of the following:
 - Architectural treatments such as translucent windows and projecting elements over the garage door opening;
 - A garage door with windows and light fixtures on either side or above the garage door.

6. Streetscape, Landscaping and Buffer:

- a. Setbacks and yards as required by the MX-2 (Innovative) zoning district and as allowed by the Innovative Provisions above will be provided.
- b. **Dixie River Road.** The Petitioner shall dedicate sixty-nine (69) feet of right-of-way from the existing centerline of Dixie River Road and shall provide for the cross-section improvements as generally depicted on the Rezoning Plan.
- c. The proposed public streets within the Site shall be built to Local Residential Wide public street standards.
- d. An eight (8) foot planting strip and five (5) foot sidewalk shall be provided on Sadler Road.

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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 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.
- c. The enhanced water quality protection measures committed to by the Petitioner, or assigns, include:
 - i. **Erosion Control** - A commitment to basin sizing on storm events detaining the 10-year storm for three (3) to five (5) days and the 25-year storm for three (3) days while routing the 50-year storm through the water quality skimmer outlet. Additional specific measures to be employed in concert with increased basin capacity will include that all plans follow the requirements of the Critical and Protected Area Enhanced Erosion Control Measures Checklist, including polyacrylamide (PAM) plans. PAM shall be specified for use with seeding mixtures and to treat sheet flow runoff to basins including type, amount and frequency of application. All plan submittals will also include an earthwork cut/fill analysis. A qualified individual will be dedicated solely to the protection of surface water resources with duties to include the periodic inspection of erosion control measures and land disturbing activities, the routine inspection of surface waters and all activities necessary to ensure the compliance with all water quality regulations and rezoning conditions.

9. Plazas and Open Space:

- a. The Petitioner will provide a series of passive and active open space areas throughout the Site with an emphasis on Development Area A (the exact location and configuration of these open space areas may vary; the final locations and configuration of the open space areas will be determined/finalized during each phase of the subdivision approval process). A minimum of fifteen (15%) percent of the Site will be provided as passive open space areas and a minimum of five (5%) percent of the Site area will be provided and improved as active open space areas. Active open space areas will be areas improved with seating areas, trails, recreation fields, tennis courts, play grounds, swimming pools, amenitized ponds (i.e. water quality ponds/areas improved with trails, seating areas and other amenities), a club house or other amenity areas designed to be used and enjoyed by the residents and guests of the community. Passive open space areas will be environmental areas such as tree save areas, water quality buffers, slopes, tree save areas, water quality areas or other open space areas of the community. It is understood passive open spaces within the tree save area shall adhere to the tree save standards.
- b. The three (3) acres of open space requested by Park and Recreation will be provided and may be anywhere within the overall River District development and is not limited to within the Site.

10. Signage:

- a. Signage as allowed by the Ordinance may be provided.

11. Lighting:

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- a. All new lighting shall be decorative, capped, and downwardly directed.
- b. Detached lighting on the Site, except street lights located along public streets, will be limited to twenty-five (25') feet in height.

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.

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KEY MAP

SEAL

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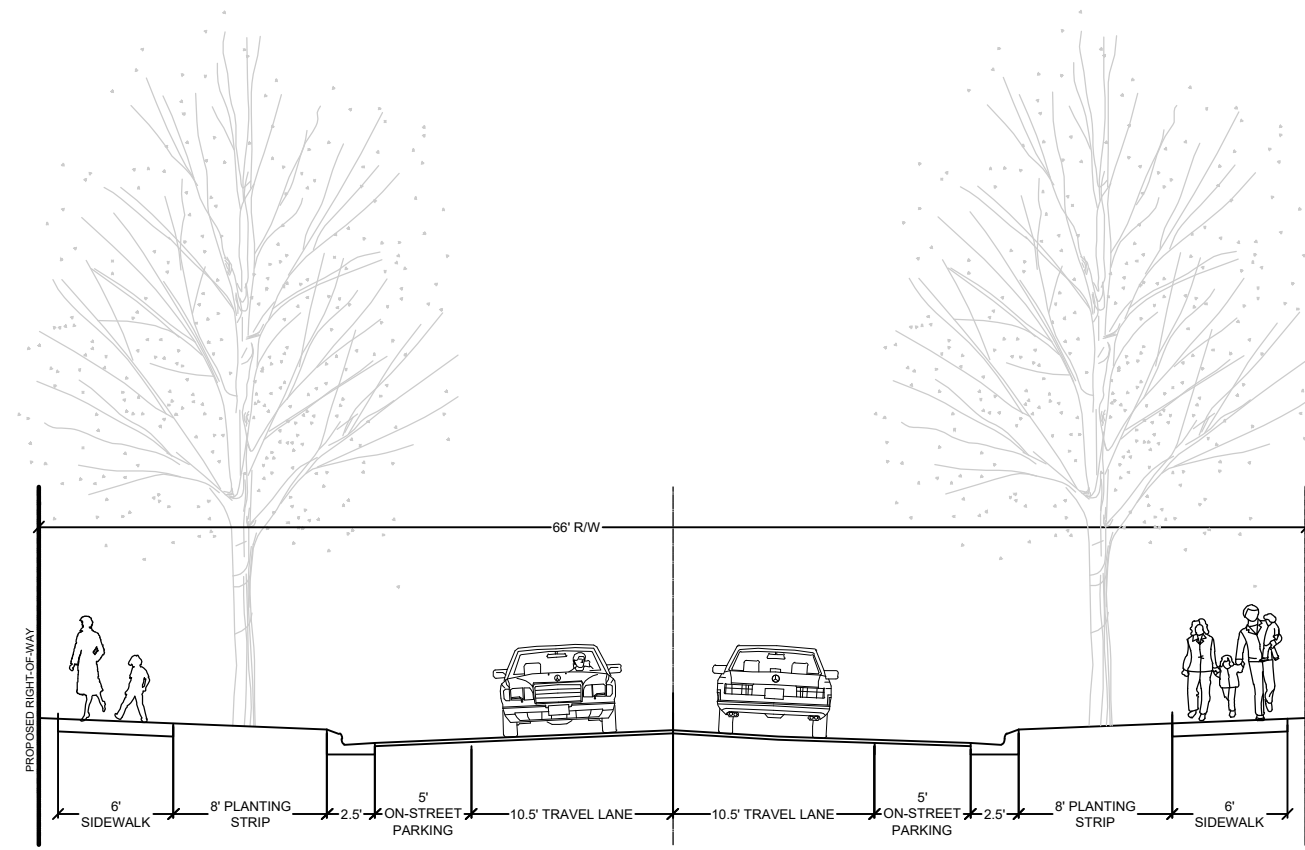
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HORZ:

SHEET TITLE

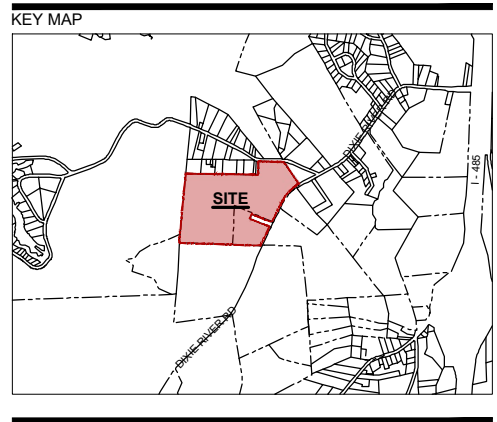
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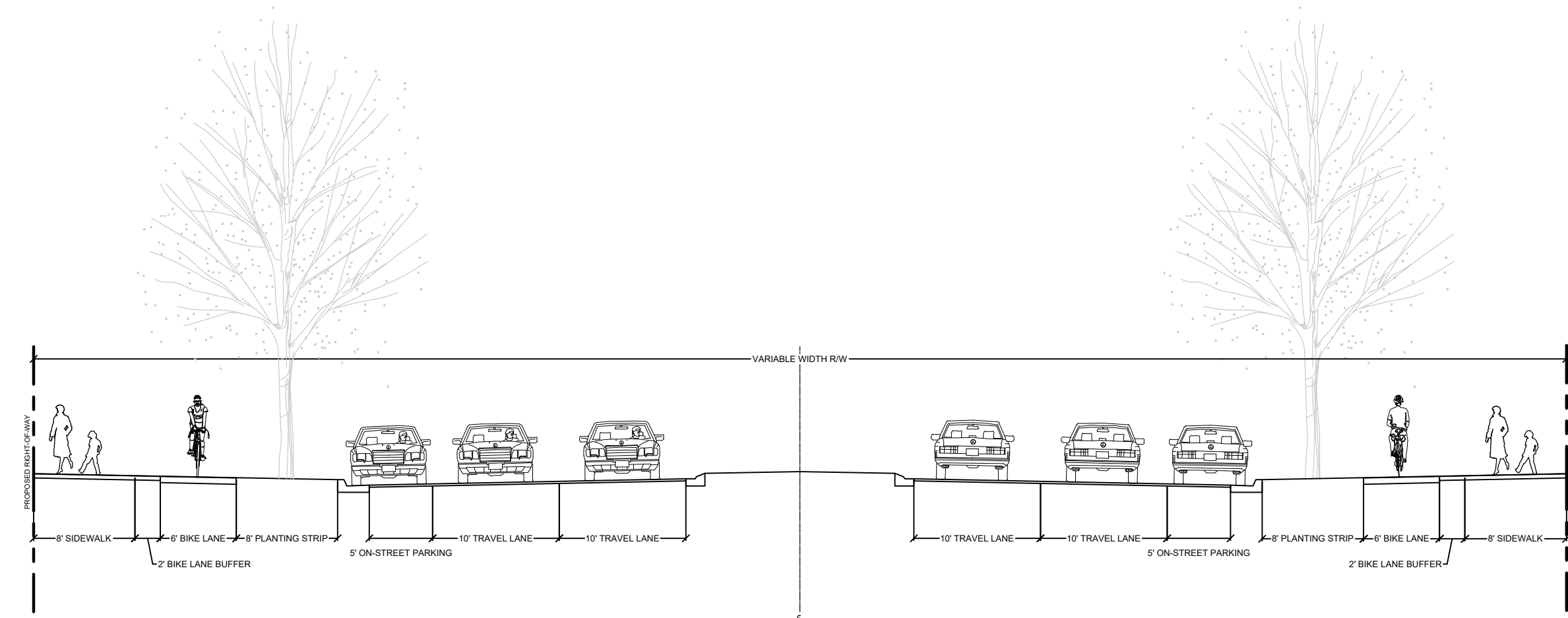
RZ-3.1



PROPOSED INTERNAL STREET SECTION
 ON-STREET PARKING OPTIONAL



SEAL



PROPOSED DIXIE RIVER ROAD APPROVED STREET SECTION
 DEDICATED VARIABLE WIDTH R/W (MIN: 121',MAX: 131') STREET SECTION

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RZ-4.0