

DEVELOPMENT STANDARDS
Petitioner: Abacus Acquisitions, LLC
Rezoning Petition No. 2021-xxx
12/09/2021

Site Development Data:

- Acreage: ± 7.54 acres
- Tax Parcels: 079-079-08, 079-079-09, 079-079-10, and 079-079-11
- Existing Zoning: I-1 & R-5
- Proposed Zoning: MUDD(CD)
- Existing Uses: Commercial, Industrial, Residential
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited herein
- Maximum Development: Subject to conversion rights in Section II below,
 - a. Up to 370 stacked multi-family residential units; and
 - b. 34 townhome-style multi-family residential units
- Maximum Building Height: Maximum of sixty-five (65) for multi-family buildings and forty (40) feet for single-family attached (townhome) buildings
- Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Abacus Acquisitions, LLC ("Petitioner") to accommodate development of a mixed residential community on an approximately 7.54-acre site located at the southeast intersection of North Graham Street and West 28th Street, more particularly described as Mecklenburg County Tax Parcel Numbers 079-079-08, 079-079-09, 079-079-10, and 079-079-11 (the "Site").

b. **Intent.** This Rezoning is intended to accommodate development on the Site of a mixture of residential uses as permitted under the MUDD zoning district.

c. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Mecklenburg County Zoning Ordinance (the "Ordinance").

Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.

d. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide 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, that all such separation standards along the exterior boundary of the Site shall be adhered to and treated as the Site as a whole and not individual portions or lots located therein.

II. Permitted Uses & Maximum Development

The principal buildings constructed may be developed with up to 370 stacked multi-family attached residential units and (ii) thirty-four (34) townhome-style multi-family units, along with any incidental and accessory uses allowed in the MUDD zoning district.

Conversion Rights: Unused stacked multi-family residential units and townhome-style units may be converted between each other at a rate of 1.5 multi-family unit per 1 townhome-style unit.

III. Transportation

- a. Vehicular access will be as generally depicted on the Rezoning Plan. Temporary construction access may be provided in addition to the vehicular access points as shown. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- b. The Petitioner shall construct a minimum eight (8) foot wide multi-use path and eight (8) foot wide planting strip along all public street frontages as well as along both sides of the proposed future private street internal to the Site, as generally depicted on the Rezoning Plan.
- c. Where necessary, the 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.
- d. Unless otherwise stated herein, all transportation improvements shall be substantially completed prior to the issuance of the first building certificate of occupancy for the Site.

IV. Design Guidelines:

- a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of any of the following: glass, brick, metal, stone, simulated stone, pre-cast stone, architectural precast concrete, synthetic stone, stucco/E.I.F.S., cementitious siding (such as hardi-plank), or wood/composite wood. Vinyl, as a building material, will only be allowed on windows, soffits and trim features. Concrete masonry units not architecturally finished shall not be permitted.
- b. Meter banks shall be located outside of the setback.
- c. All dumpster enclosure areas shall be screened from network required public or private streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure.
- d. **Design Standards Related to Stacked Multi-Family Residential Uses:**
 - 1. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - i. Building sides greater than 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of five (5) feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.
 - 2. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - i. 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.
 - 3. Direct pedestrian connections will be provided on all buildings for all frontages. The spacing of entrances shall not exceed 150 feet.
- e. **Additional Design Standards for Townhome-Style Units:**
 - 1. Townhome units shall front the public/private streets. No garages or individual driveways of townhome units shall be directly accessed via public streets.
 - 2. 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.
 - 3. Usable porches or stoops shall form a predominant feature of the building design for units fronting public streets and shall be located on the front and/or side of the building. Stoops may be covered but shall not be enclosed.
 - 4. Attached dwelling units shall be limited to a maximum of six (6) units per building or fewer. Multiple six-unit buildings, if provided, shall not occur directly adjacent to each other.
 - 5. Corner/end units fronting public streets shall have enhanced side elevations with a front or rear stoop and/or porch or otherwise provide windows or other architectural details to limit the maximum blank wall expanse to ten (10) feet on each level of the unit. If a porch is utilized, it may be located on the second story of such unit.

6. For all units, Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to twenty (20) feet on all building levels, including but not limited to doors, windows, awnings, material or color changes, and/or architectural design elements.

V. Landscaping, Open Space and Amenity Areas.

- a. Petitioner shall provide open spaces throughout the Site per Ordinance standards. At a minimum, the Petitioner shall provide an amenity area, as generally depicted on the Rezoning Plan, which may include amenities, such as but not limited to, a combination of hardscape and softscape, seating, landscaping, art, fountains, pool, cabana, garden, clubhouse, mail kiosk, dog park, and/or other similar amenities.
- b. Petitioner shall provide a minimum 31.5-foot wide Class C buffer area with a berm or 6-foot tall fence adjacent to the R-5 zoned properties, as generally depicted on the Rezoning Plan.

VI. Environmental Features:

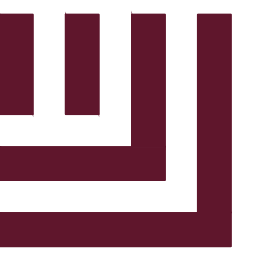
- a. The Petitioner shall comply with the Post Construction Controls Ordinance. The location, size, and type of storm water management systems that may be depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- b. The Petitioner shall comply with the Tree Ordinance.

VII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

VIII. Binding Effect of the Rezoning Application:

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 or Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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REZONING PLAN
W 28TH STREET & N GRAHAM STREET
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REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO. ABA-21001
FILENAME ABA-21001X
CHECKED BY EM
DRAWN BY JDS
SCALE
DATE 12.09.2021

SHEET

REZONING NOTES

RZ.02