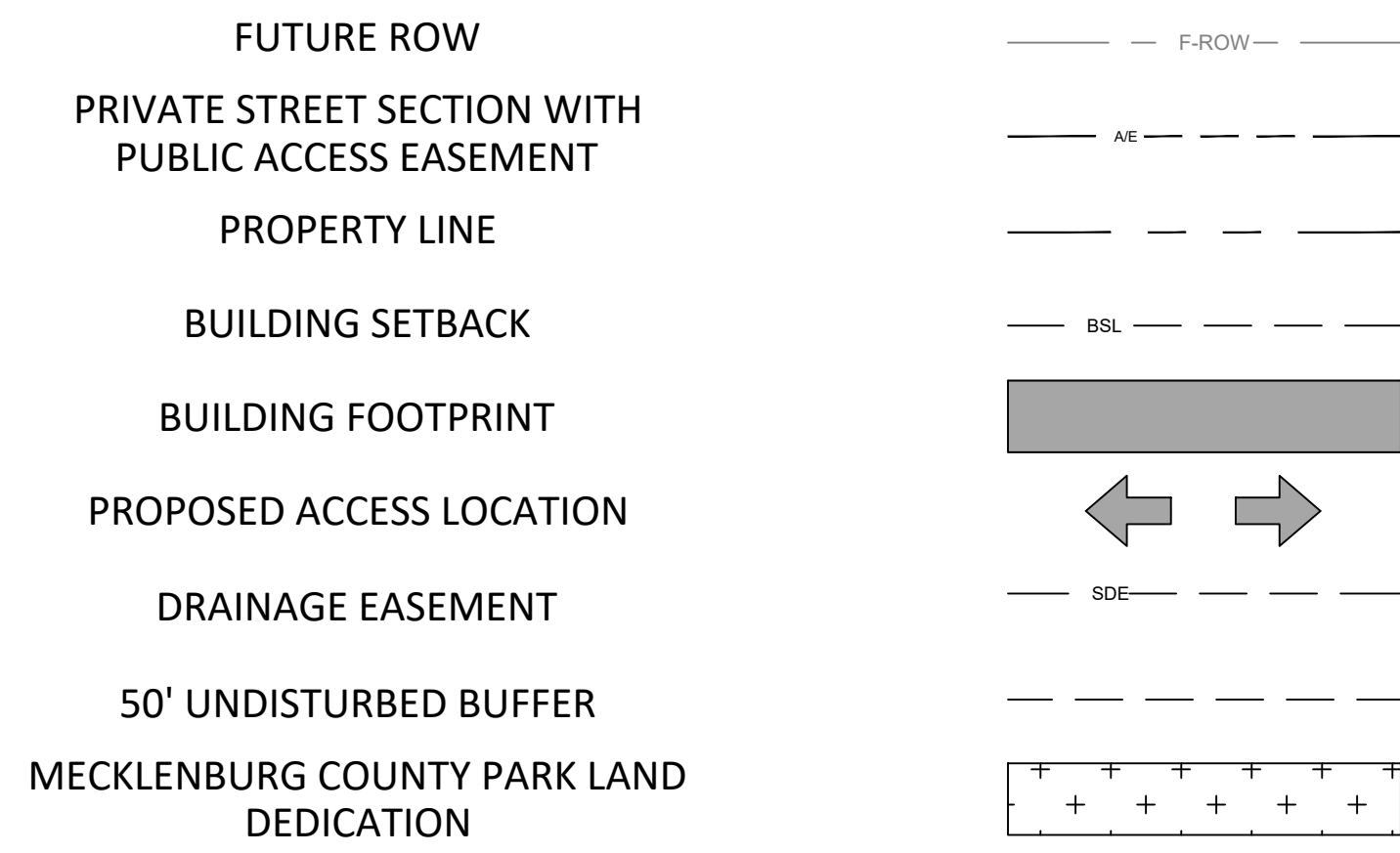


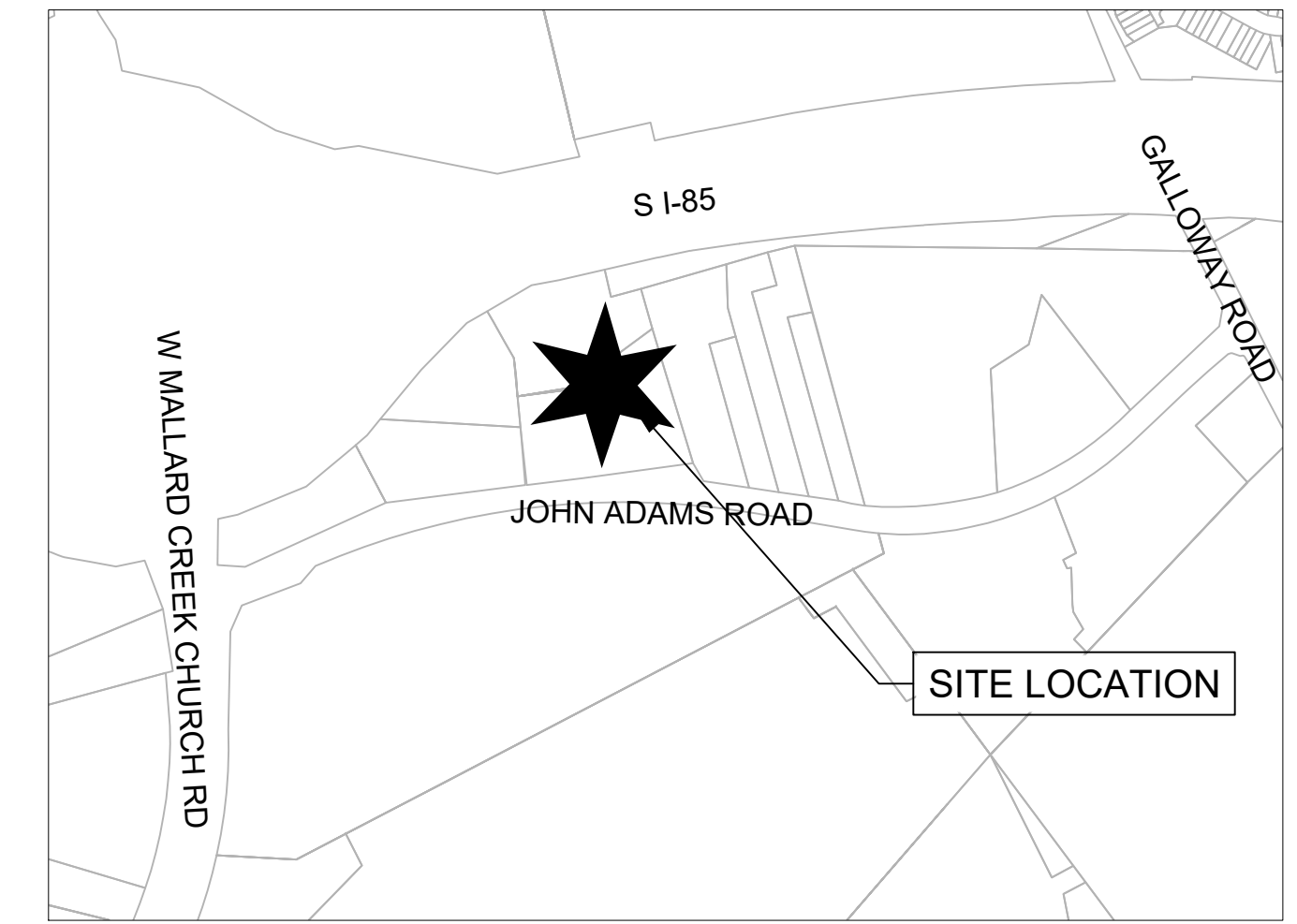
October 11, 2023 - 2:05pm By: llyerresendes
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REZONING LEGEND

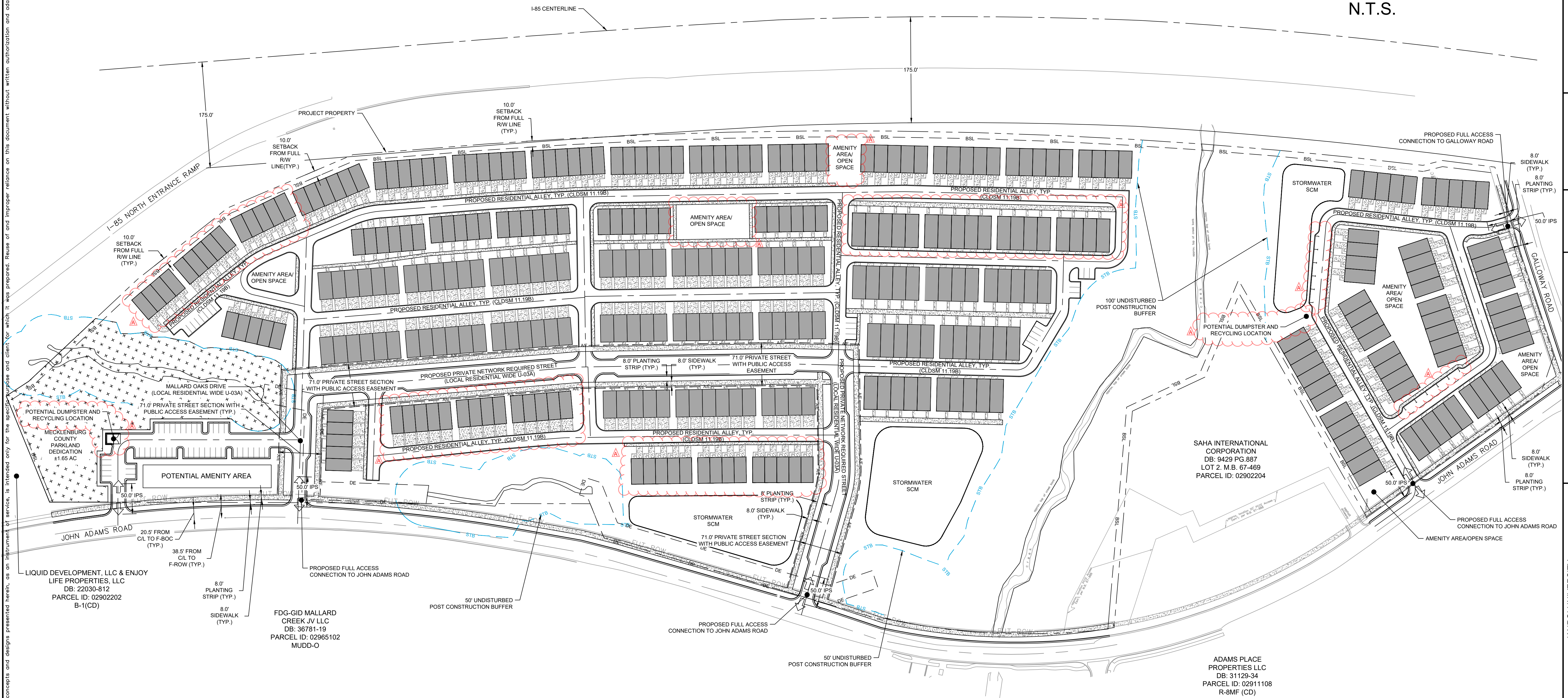


SITE DEVELOPMENT DATA

- ACREAGE: ± 33.03
- TAX PARCEL NOS: SEE PARAGRAPH 1.A. BELOW
- EXISTING ZONING: R-3, B-1, O-1 AND B-1 (CD)
- PROPOSED ZONING: UR-2 (CD)
- EXISTING USE: SINGLE FAMILY RESIDENTIAL AND UNDEVELOPED LAND
- PROPOSED USE: UP TO 345 SINGLE FAMILY ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE UR-2 ZONING DISTRICT



SITE LOCATION MAP
N.T.S.



NO.	REVISIONS	DATE
1	STAFF COMMENTS	10/11/23

Kimley-Horn
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NC LICENSE #F-0102

REZONING PETITION
#2022-096

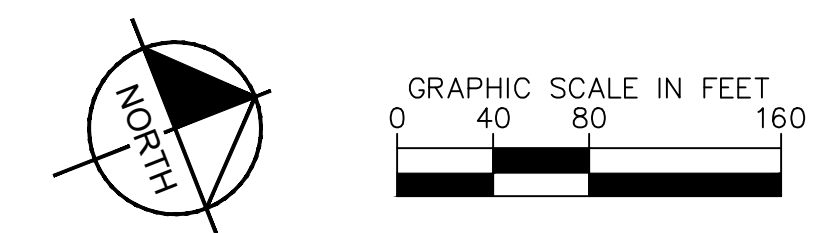
DESIGNED BY	ED
DRAWN BY	ED
CHECKED BY	JR

REZONING SITE PLAN

KAIROI UNIVERSITY
JOHN ADAMS ROAD & GALLOWAY ROAD
CHARLOTTE, NC
MECKLENBURG COUNTY
KAIROI RESIDENTIAL
711 NAVARRO STREET, SUITE 400
SAN ANTONIO, TEXAS 78205

DATE
10-09-2023
PROJECT NO.
017524003
SHEET NUMBER

RZ-1



October 12, 2023 — 2:25pm By: Myreemendes
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SITE DEVELOPMENT DATA

- ACREAGE: ± 33.03
- TAX PARCEL NOS: SEE PARAGRAPH 1.A. BELOW
- EXISTING ZONING: R-3, B-1, O-1 AND B-1 (CD)
- PROPOSED ZONING: UR-2 (CD)
- EXISTING USE: SINGLE FAMILY RESIDENTIAL AND UNDEVELOPED LAND
- PROPOSED USE: UP TO 345 SINGLE FAMILY ATTACHED DWELLING UNITS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE UR-2 ZONING DISTRICT

1. GENERAL PROVISIONS

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY KAIROI RESIDENTIAL (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 33.03 ACRE SITE LOCATED ON THE WEST SIDE OF JOHN ADAMS ROAD, NORTH OF WEST MALLARD CREEK CHURCH ROAD, AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 029-022-03, 029-022-10, 029-022-09, 029-022-08, 029-022-07, 029-022-06, 029-022-14, 029-022-13, 029-022-12 AND 029-022-11, 029-022-77, 029-022-05.

b. **ZONING DISTRICTS/ORDINANCE.** THE DEVELOPMENT AND USE OF THE SITE WILL 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 UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

c. **GRAPHICS AND ALTERATIONS.** THE DEVELOPMENT, STREET LAYOUTS, PARKING AREAS, SIDEWALKS, LOT OR BUILDING LAYOUTS/CONFIGURATIONS, INTERNAL STREETS, DRIVES, ALLEYS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH DEVELOPMENT/SITE ELEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATION(S) OR MODIFICATION(S) SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENTATION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING ALTERATIONS AND/OR MODIFICATIONS FROM THE CONCEPTUAL GRAPHIC REPRESENTATIONS DEPICTED ON THE REZONING PLAN AND THE ELEMENTS DESCRIBED HEREIN. THEREFORE, THERE MAY BE INSTANCES WHERE ALTERATIONS AND/OR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES IF THEY ARE:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH ALTERATIONS AND/OR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION OR MODIFICATION 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/DEVELOPMENT LIMITATIONS

a. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 345 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE UR-2 ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE AND AMENITIES SUCH AS A FITNESS CENTER, CLUBHOUSE, CO-WORKING AREAS, SWIMMING POOL, DOG PARK, PLAYGROUND AND OTHER GATHERING AREAS COMMONLY FOUND IN SINGLE FAMILY ATTACHED DWELLING UNIT COMMUNITIES.

3. ACCESS AND TRANSPORTATION IMPROVEMENTS

a. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT") IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

b. THE SITE WILL BE SERVED BY INTERNAL PRIVATE STREETS AND INTERNAL PRIVATE DRIVES AND/OR ALLEYS, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF SUCH INTERNAL PRIVATE STREETS, DRIVE(S) AND/OR ALLEY(S) SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS. THE SITE WILL INCLUDE AN INTERNAL 71' PRIVATE NETWORK REQUIRED STREET SECTION WITH A PUBLIC ACCESS EASEMENT.

c. THE ALIGNMENTS OF THE INTERNAL PRIVATE STREETS, INTERNAL PRIVATE DRIVES AND/OR ALLEYS AND INTERNAL VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS AND PARKING LAYOUTS AND TO ACCOMMODATE ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

d. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO JOHN ADAMS ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 38.5 FEET FROM THE EXISTING CENTERLINE OF JOHN ADAMS ROAD, TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT ALREADY EXIST.

e. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON JOHN ADAMS ROAD. THE MINIMUM 8 FOOT WIDE SIDEWALK (OR PORTIONS THEREOF) MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

f. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGE ON GALLOWAY ROAD. THE MINIMUM 8 FOOT WIDE SIDEWALK (OR PORTIONS THEREOF) MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

g. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 8 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG BOTH SIDES OF ALL INTERNAL NETWORK REQUIRED STREETS. THE MINIMUM 8 FOOT WIDE SIDEWALKS (OR PORTIONS THEREOF) MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.

h. PETITIONER WILL DEDICATE TO THE CITY OF CHARLOTTE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, AND THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE. 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. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

i. ALL TRANSPORTATION IMPROVEMENTS REQUIRED TO BE CONSTRUCTED BY PETITIONER UNDER THIS SECTION 3 OF THE DEVELOPMENT STANDARDS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE.

j. EXISTING CURB AND GUTTER LOCATED ALONG THE SITE'S FRONTAGE ON JOHN ADAMS ROAD WILL REMAIN IN PLACE WITH ANY TO-BE-CONSTRUCTED 8 FOOT WIDE PLANTING STRIP(S) AND 8 FOOT WIDE SIDEWALK(S) TO BE MEASURED AND CONSTRUCTED FROM THE EXISTING BACK OF CURB. ANY TO-BE-CONSTRUCTED NEW CURB AND GUTTER ALONG THE SITE'S FRONTAGE ON JOHN ADAMS ROAD WILL BE DESIGNED AND SET AT AN ELEVATION TO MATCH EXISTING ROADWAY GRADES AND CROSS-SLOPES OF THE ROAD TO AVOID CREATING MULTIPLE GRADE BREAKS EVEN IF SUCH DESIGN DOES NOT MEET TYPICAL CITY STANDARDS. FINAL DESIGN TO BE COORDINATED AND APPROVED BY CDOT DURING PERMITTING.

4. ARCHITECTURAL STANDARDS

a. THE ACTUAL SIZES OF THE SINGLE FAMILY ATTACHED DWELLING UNITS AND/OR LOTS CONSTRUCTED ON THE SITE MAY VARY FROM THE SIZES DEPICTED ON THE REZONING PLAN.

b. WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG INTERNAL PRIVATE STREETS, DRIVES OR ALLEYS.

c. GARAGE DOORS FRONTING A PUBLIC STREET SHALL MINIMIZE THE VISUAL IMPACT BY PROVIDING A SETBACK OF 6 TO 12 INCHES FROM THE FRONT WALL PLANE OR ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING.

5. ENVIRONMENTAL FEATURES

a. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

b. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

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. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.

d. 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.

e. THE LOCATIONS OF DUMPSTERS AND RECYCLING RECEPTACLES DEPICTED ON THE REZONING PLAN ARE ILLUSTRATIVE AND THE LOCATION MAY BE MODIFIED DURING THE PERMITTING PROCESS.

6. AMENITY AREAS AND OPEN SPACE

a. AMENITY AREAS ARE PLANNED TO BE PROVIDED ON THE SITE, SOME OF WHICH COULD INCLUDE A CLUBHOUSE, FITNESS CENTER, PICKLEBALL COURT AND/OR A SWIMMING POOL. THE CONTEMPLATED AMENITY AREAS ARE GENERALLY DEPICTED ON THE REZONING PLAN. AT A MINIMUM, THE AMENITY AREAS SHALL CONTAIN GRASS, SHRUBS, TREES, PEDESTRIAN WALKWAYS AND SEATING.

b. PETITIONER SHALL PROVIDE OPEN SPACE TO MEET THE ORDINANCE REQUIREMENT BY EITHER (I) PROVIDING A MINIMUM OF 400 SQUARE FEET OF PRIVATE OPEN SPACE PER UNIT OR (II) PROVIDING USEABLE COMMON OPEN SPACE IN THE AMOUNT OF TEN PERCENT OF THE SITE. PETITIONER SHALL DETERMINE WHICH OPTION TO PURSUE AT PERMITTING. AMENITY AREAS THAT QUALIFY AS USEABLE COMMON OPEN SPACE SHALL BE COUNTED TOWARDS THE TEN PERCENT REQUIRED USEABLE COMMON OPEN SPACE IF THAT OPTION IS UTILIZED BY PETITIONER.

7. PARK SITE

a. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 150TH SINGLE FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE AND SUBJECT TO THE APPROVAL OF MECKLENBURG COUNTY, PETITIONER SHALL CONVEY A MINIMUM 1.5 ACRE PORTION OF THE SITE THAT IS DESIGNATED ON THE REZONING PLAN AS MECKLENBURG COUNTY PARKLAND (THE "PARK SITE") TO MECKLENBURG COUNTY FOR A FUTURE PUBLIC PARK. PRIOR TO THE CONVEYANCE OF THE PARK SITE TO MECKLENBURG COUNTY, PETITIONER SHALL HAVE THE RIGHT TO LOCATE AND INSTALL UNDERGROUND UTILITIES THROUGH THE PARK SITE AND TO RESERVE ANY SUCH EASEMENTS OVER THE PARK SITE THAT ARE NECESSARY TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR AND/OR REPLACE SUCH UNDERGROUND UTILITIES.

b. THE PARK SITE SHALL COUNT TOWARDS THE SITE'S MINIMUM USEABLE COMMON OPEN SPACE REQUIREMENT IF THE USEABLE COMMON OPEN SPACE OPTION IS UTILIZED BY PETITIONER.

c. MECKLENBURG COUNTY SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE DESIGN, PERMITTING, CONSTRUCTION AND MAINTENANCE OF ANY IMPROVEMENTS TO THE PARK SITE.

d. IN THE EVENT THAT MECKLENBURG COUNTY DOES NOT APPROVE AND ACCEPT THE CONVEYANCE OF THE PARK SITE, THEN THE PARK SITE SHALL REMAIN A PART OF THE SITE'S OPEN SPACE AREAS, AND THE PARK SITE SHALL BE OWNED AND MAINTAINED BY THEN CURRENT OWNER OF THE SITE OR A PROPERTY OWNERS ASSOCIATION.

e. THE COUNTY & PETITIONER HEREBY ACKNOWLEDGE & AGREE THAT THE PETITIONER MAY DESIRE TO USE A PORTION OF THE PARK SITE TO CONSTRUCT AMENITIES (I.E. PICKLEBALL COURT(S), BASKETBALL/SPORT COURTS, BENCHES, PERGOLAS/TRELLISES, ETC.). SHOULD THE PETITIONER DESIRE TO CONSTRUCT SUCH AMENITIES WITHIN THE PARK SITE AREA, THE COUNTY & THE PETITIONER SHALL COLLABORATE IN GOOD-FAITH TO AGREE UPON DESIGNS & SPECS FOR THESE AMENITIES IN THE PARK SITE AREA.

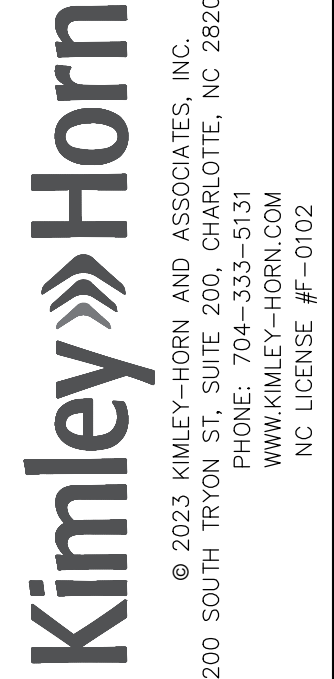
8. AMENDMENTS TO THE REZONING PLAN

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

9. BINDING EFFECT OF THE REZONING APPLICATION

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND 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.

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

DESIGNED BY ED		DRAWN BY ED		CHECKED BY JR	
REZONING PETITION					
#2022-096					
DEVELOPMENT STANDARDS					
KAIROI UNIVERSITY JOHN ADAMS ROAD & GALLOWAY ROAD CHARLOTTE, NC MECKLENBURG COUNTY			KAIROI RESIDENTIAL 711 NAVARRO STREET, SUITE 400 SAN ANTONIO, TEXAS 78205		
DATE 10-09-2023					
PROJECT NO. 017524003					
SHEET NUMBER RZ-2					
					
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A STAFF COMMENTS					
No. REVISIONS DATE					