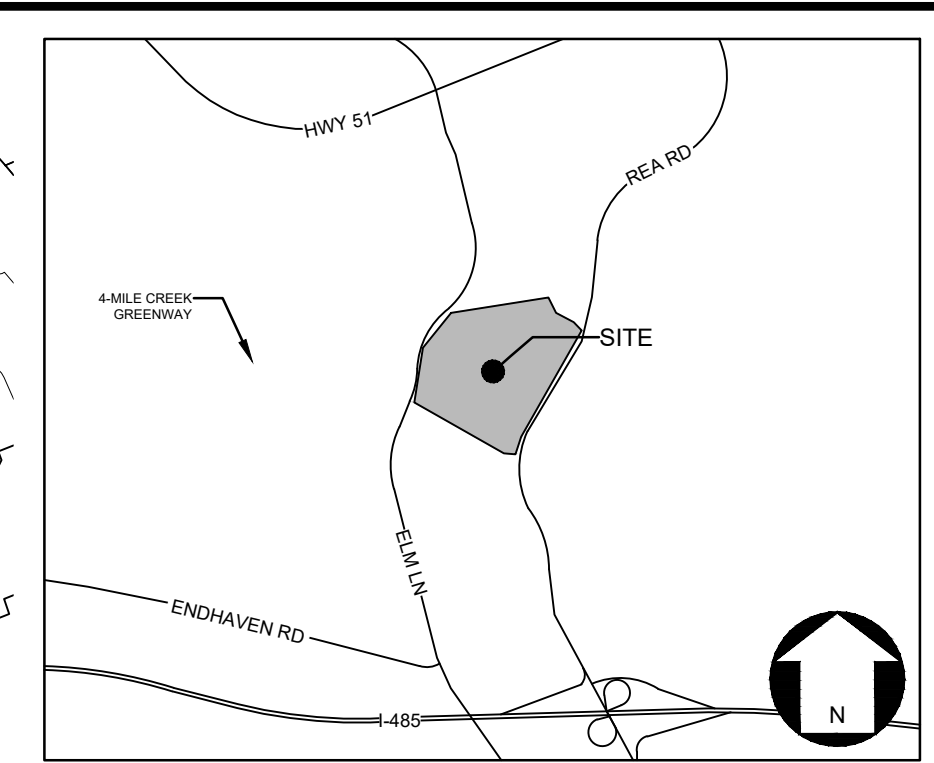


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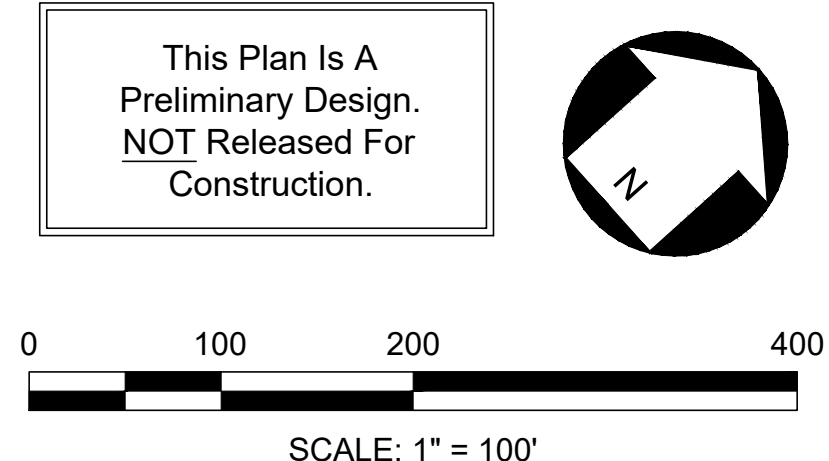
**VICINITY MAP**  
NOT TO SCALE

**LEGEND:**

	PROPERTY BOUNDARY
	EXISTING CONTOUR LINES
	EXISTING STREAM / WATER BODY
	EXISTING LOT LINE
	EXIST. PROPERTY BOUNDARY TO BE REMOVED
	RIGHT-OF-WAY LINE
	SETBACK LINE
	EXISTING PAVEMENT
	EXISTING ASPHALT TO BE REMOVED
	ROAD CENTERLINE
	EXISTING FENCE
	FEMA 100-YR FLOODPLAIN
	FEMA COMMUNITY ENCROACHMENT
	FEMA FLOODWAY
	POSSIBLE WETLANDS/STREAMS
	EXISTING TREELINE

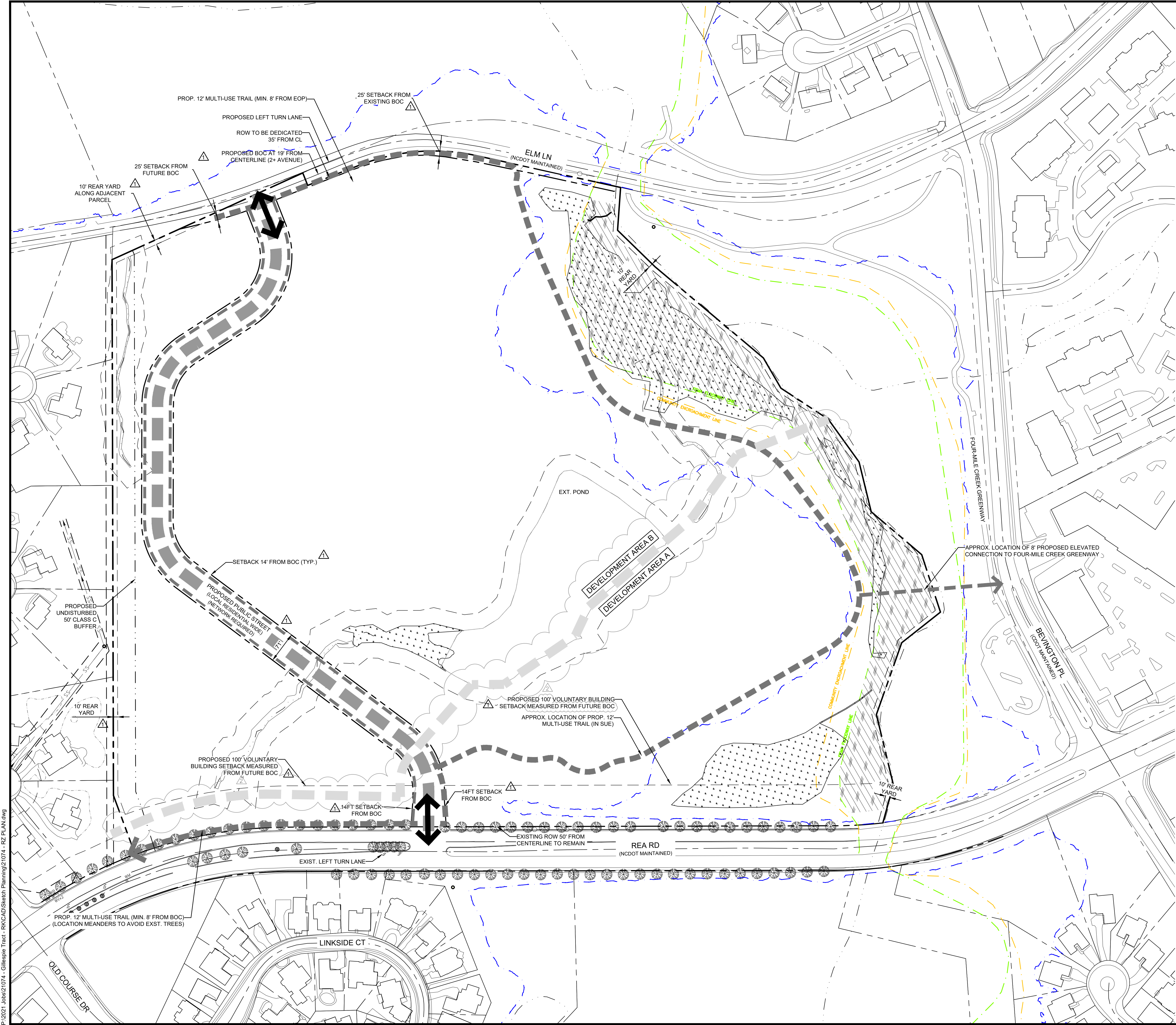
**ADJOINING PROPERTY OWNER**

<b>A</b> MECKLENBURG COUNTY DB 0606, PG 64 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 223-322-01 EXISTING USE: SINGLE FAMILY RESIDENTIAL - AC ZONED: R-15(CD)	<b>J</b> YASSAMAN LOUISE BAHAM DB 3697, PG 502 604 LINKSIDE CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-403-05 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF
<b>B</b> MECKLENBURG COUNTY DB 0606, PG 67 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 225-021-08 EXISTING USE: 100-YR FLOODPLAIN - AC ZONED: R-15(CD) & NS	<b>K</b> PRO REALTY & DEVELOPMENT, LLC DB 0664, PG 680 302 AVONHIRE PL CHARLOTTE NC, 28210 TAX PARCEL ID: 225-403-31 EXISTING USE: SINGLE FAMILY RESIDENTIAL - COMMON ZONED: R-20MF
<b>C</b> JACK & BARBARA CLARK DB 3860, PG 05 5640 FAIRWAY VIEW DR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-495-27 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	<b>L</b> ETHAN & KRISTIN PIERCE FAMILY TRUSTS DB 3298, PG 347 600 PRINCE DR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-02 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>D</b> MECKLENBURG COUNTY, PARKS AND REC DEPT. DB 0902, PG 130 700N TRYON ST CHARLOTTE NC 28202 TAX PARCEL ID: 225-495-96 EXISTING USE: 100-YR FLOODPLAIN - AC ZONED: R-15(CD)	<b>M</b> CHARLES & KATHERINE PENDERGRAFT DB 29021, PG 325 600 PRINCE DR CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>E</b> CLUBCORP NV VI, LLC DB 2917L, PG 179 PO BOX 2859 SAN ANTONIO, TX 78269 TAX PARCEL ID: 225-031-06 EXISTING USE: GOLF COURSE CLASS 1 - CHAMPIONSHIP ZONED: R-15(CD)	<b>N</b> GARY WAYTENA & M GAIL DB 0812, PG 037 600 TRYON CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-08 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>F</b> PRO REALTY & DEVELOPMENT, LLC DB 0640, PG 680 302 AVONHIRE PL CHARLOTTE NC, 28210 TAX PARCEL ID: 225-403-32 EXISTING USE: SINGLE FAMILY RESIDENTIAL - COMMON ZONED: R-20MF	<b>O</b> JEFFRE & ANDREA HIMES DB 0786, PG 513 604 TRYON CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-09 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>G</b> 2018-3H BORROWER LP DB 32802, PG 114 1717 HAWK ST STE 2000 DALLAS, TX 75201 TAX PARCEL ID: 225-403-08 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-20MF	<b>P</b> KEVIN & ROBIN SMITH DB 3474, PG 491 601 GOLDEN RAIN CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-501-13 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>H</b> RUSSELL GSR ALLION DB 28667, PG 578 600 AVONHIRE CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-403-07 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)	<b>Q</b> JOHN & GINA FITTS DB 25459, PG 593 600 AVONHIRE CT CHARLOTTE NC 28277 TAX PARCEL ID: 225-501-14 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)
<b>I</b> HOA & BANG HOANG DB 35096, PG 432 600 LINKSIDE CT CHARLOTTE NC, 28277 TAX PARCEL ID: 225-021-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)	<b>R</b> MECKLENBURG COUNTY DB 0606, PG 541 600 E 4TH ST 11TH FLOOR CHARLOTTE NC 28202 TAX PARCEL ID: 225-021-03 EXISTING USE: SINGLE FAMILY RESIDENTIAL ZONED: R-15(CD)



**REVISIONS:**

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.



**LEGEND:**

- PROPERTY BOUNDARY
- EXISTING STREAM / WATER BODY
- EXISTING LOT LINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- EXISTING PAVEMENT
- ROAD CENTERLINE
- EXISTING FENCE
- FEMA 100-YR FLOODPLAIN
- FEMA COMMUNITY ENCROACHMENT
- FEMA FLOODWAY
- POSSIBLE WETLANDS/STREAMS
- EXISTING BUILDING
- PROPOSED SITE ENTRY
- PROPOSED PUBLIC VEHICULAR CIRCULATION
- PROPOSED PUBLIC PEDESTRIAN CIRCULATION

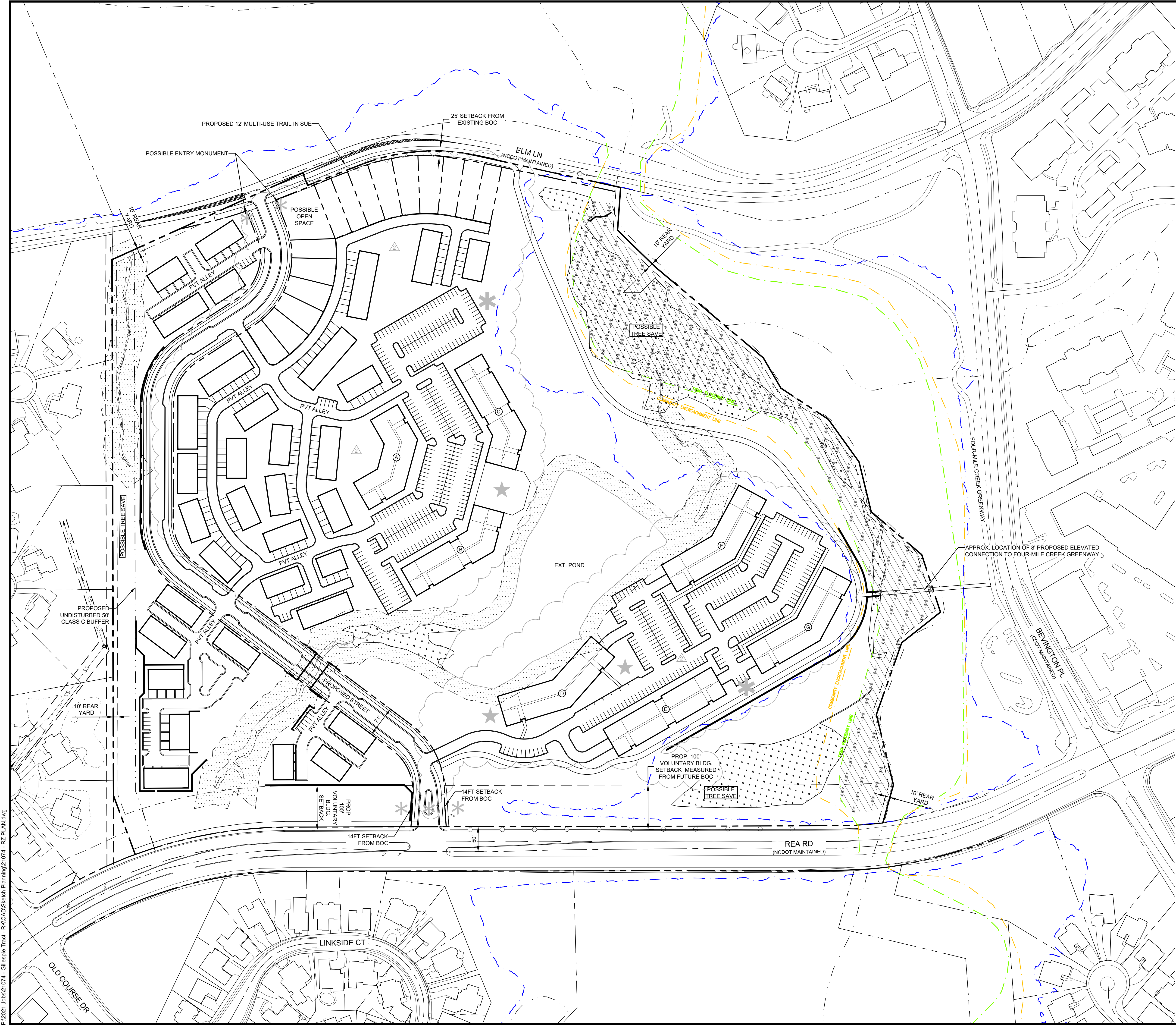
This Plan Is A Preliminary Design.  
 NOT Released For Construction.

SCALE: 1" = 100'

**REVISIONS:**

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.

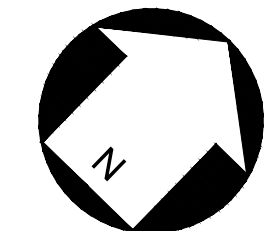
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**LEGEND:**

	PROPERTY BOUNDARY
	EXISTING CONTOUR LINES
	EXISTING STREAM / WATER BODY
	EXISTING LOT LINE
	RIGHT-OF-WAY LINE
	SETBACK LINE
	EXISTING PAVEMENT
	PROPOSED CURBING
	EXISTING CURBING
	EXISTING ASPHALT TO BE REMOVED
	ROAD CENTERLINE
	EXISTING FENCE
	FEMA 100-YR FLOODPLAIN
	FEMA COMMUNITY ENCROACHMENT
	FEMA FLOODWAY
	POSSIBLE WETLANDS/STREAMS
	EXISTING BUILDING
	POSSIBLE AMENITY AREA
	POSSIBLE ENTRY MONUMENT
	POSSIBLE WASTE COLLECTION COMPACTOR/ RECYCLING AREA
	POSSIBLE RETAINING WALL

This Plan Is A Preliminary Design. NOT Released For Construction.



**REVISIONS:**

No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.

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Development Data Table:	
Site Area:	+/- 53.07 acres
Tax Parcels:	225-021-06, 225-021-05 and 225-021-01
Existing Zoning:	N1-A
Proposed Zoning:	UR-2 (CD)
Proposed Uses:	See the Development Standards
Maximum Density:	Up to 640 dwelling units
Maximum Building Height:	See the Development Standards
Parking:	Shall meet or exceed Ordinance standards
Vesting Requested:	5 years

**1. GENERAL PROVISIONS**

- A. Site.** These Development Standards, the Existing Conditions Plan, the Technical Data Sheet and the Rezoning Site Plan and other graphics set forth on **Sheets RZ-1 through RZ-4** form the rezoning plan (collectively referred to as the **"Rezoning Plan"**) associated with the Rezoning Petition filed by RK Investments Charlotte LLC (the **"Petitioner"**) for an approximately 53.07 acre site located between Rea Road and Elm Lane, just south of Bevington Place (hereinafter referred to as the **"Site"**). The Site is more particularly depicted on the Rezoning Plan and is comprised of Tax Parcel Nos. 225-021-06, 225-021-05 and 225-021-01.
- B. Zoning District/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 schematic depictions of the uses, sidewalks, driveways, streets, development area boundaries 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 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:

- (1) Do not materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.

- D. Development Areas.** For entitlement purposes, the Site is divided into two development areas that are designated on the Rezoning Plan as Development Area A and Development Area B.

**E. Unified Development.** The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, building height separation requirements and other similar zoning standards shall not be required internally between and other site elements located on the Site. Furthermore, Petitioner reserves the right to subdivide portions or all of the Site and to 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 the development of the Site shall be required to meet any applicable setback, side yard, rear yard and landscape area requirements with respect to the exterior boundaries of the Site.

**F. Vested Rights.** Pursuant to Section 1.110 of the Ordinance and Section 160D-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions, but such provisions shall not be deemed a limitation on any other vested rights whether statutory or at common law.

**G. Amendments.** Future amendments to any portions of 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 Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

**2. PHASING**

- A. Petitioner reserves the right to develop the Site in one or more phases.

**3. PERMITTED USES**

**A. Development Area A**

(1) Subject to the limitations set out below, Development Area A may only be devoted to the uses set out below and 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, a clubhouse and amenities for use by the residents of the dwelling units.

- (a) Multi-family dwelling units.
- (b) Age restricted multi-family dwelling units.
- (c) Age restricted multi-family dwelling units shall mean multi-family dwelling units that are intended and operated for occupancy by persons 55 years of age or older; publishes and adheres to policies and procedures that demonstrate the intent to provide housing for persons 55 years of age or older; complies with HUD's regulatory requirements for verification of occupancy; and otherwise meets the applicable requirements of the State and Federal Fair Housing Acts to qualify as "Housing for Older Persons."
- (d) A continuing care retirement community with independent living, assisted living and nursing care facilities.
- (2) A total maximum of 300 dwelling units (whether non-age restricted multi-family dwelling units, age restricted multi-family dwelling units, continuing care retirement community dwelling units or a combination thereof) may be developed on Development Area A.

**B. Development Area B**

(1) Subject to the limitations set out below, Development Area B may only be devoted to uses set out below and 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, a clubhouse and amenities for use by the residents of the dwelling units.

- (a) Multi-family dwelling units.
- (b) Age restricted multi-family dwelling units.  
Age restricted multi-family dwelling units shall mean multi-family dwelling units that are intended and operated for occupancy by persons 55 years of age or older; publishes and adheres to policies and procedures that demonstrate the intent to provide housing for persons 55 years of age or older; complies with HUD's regulatory requirements for verification of occupancy; and otherwise meets the applicable requirements of the State and Federal Fair Housing Acts to qualify as "Housing for Older Persons."
- (c) Age restricted multi-family dwelling units shall mean multi-family dwelling units that are intended and operated for occupancy by persons 55 years of age or older; publishes and adheres to policies and procedures that demonstrate the intent to provide housing for persons 55 years of age or older; complies with HUD's regulatory requirements for verification of occupancy; and otherwise meets the applicable requirements of the State and Federal Fair Housing Acts to qualify as "Housing for Older Persons."
- (d) A continuing care retirement community with independent living, assisted living and nursing care facilities.
- (e) Single family attached dwelling units.
- (f) Single family attached dwelling units.
- (2) Only single family attached dwelling units or single family detached dwelling units may be developed on that portion of Development Area B located south of the internal public street, and a maximum of 50 dwelling units may be developed on this portion of Development Area B.
- (3) A total maximum of 340 dwelling units (whether non-age restricted multi-family dwelling units, age restricted multi-family dwelling units, continuing care retirement community dwelling units, single family attached dwelling units or single family detached dwelling units or a combination thereof) may be developed on Development Area B.
- (4) Notwithstanding anything contained herein to the contrary, a total maximum of 500 multi-family dwelling units (whether non-age restricted multi-family dwelling units, age restricted dwelling units, continuing care retirement community dwelling units or a combination thereof) may be developed on the Site.

**4. TRANSPORTATION**

**A.** Vehicular access shall be as generally depicted on the Rezoning Plan. Notwithstanding the foregoing, the placement and configuration of the vehicular access points may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

**B.** As depicted on the Rezoning Plan, the Site will be served by an internal public street and internal private streets and/or alleys, and the alignments and locations of the internal public street and internal private streets and/or alleys may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required for approval by CDOT and/or NCDOT in accordance with applicable published standards. That portion of the internal public street located within the limits of Development Area A shall be constructed when Development Area A is developed. That portion of the internal public street located within the limits of Development Area B shall be constructed when Development Area B is developed. The entire internal public street with a full connection from Rea Road to Elm Lane shall be completed prior to the issuance of the first certificate of occupancy for a new building constructed in the last Development Area to be developed.

**C.** Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

**D.** Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area B, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Elm Lane as required to provide right of way measuring 35 feet from the existing centerline Elm Lane, to the extent that such right of way does not already exist.

**E.** A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

**F.** 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 Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

**G.** Petitioner will dedicate to the City of Charlotte or to NCDOT as applicable 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 building constructed within the (Development Area located adjacent to the right of way to be dedicated). The Petitioner will provide a permanent sidewalk easement for any of the proposed required 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.

**H.** Subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, Petitioner shall, prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, construct a bus stop waiting pad in accordance with CATS detail 60.01A on the Site's frontage on Rea Road entirely within right of way. The final location of the bus stop waiting pad will be coordinated with CATS during the permitting process. In the event that Petitioner cannot obtain all approvals and permits required to construct the bus stop waiting pad, then Petitioner shall have no obligation to construct it.

**I.** Any reference to the term "substantially complete" in this Section 4 of the Development Standards shall mean a determination by CDOT and/or NCDOT that the applicable roadway improvements are deemed "substantially complete" for the purpose of the issuance of certificates of occupancy for building(s) on the Site. However, in the event that certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event Petitioner may be required to post a letter of credit or a bond for any improvements not in place at the time such certificates of occupancy are issued to secure the completion of the relevant improvements.

**J.** Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner.

- (1) Restripe Bevington Place between Birkdale Valley Drive and The Shops at Piper Glen Driveway to shift the on-street parking to the south side of Bevington Place.
- (2) Install a pair of rectangular rapid-flashing beacons (RRFBs) at the pedestrian crossing on the west side of The Shops at Piper Glen Driveway.

**K.** Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area A and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at Rea Road and the internal public street (Access A).

- (1) Construct one ingress lane and two egress lanes (a terminating eastbound right turn lane and a left turn lane with 150 feet of storage) on proposed Access "A".
- (2) Provide a minimum of 100 feet internal protected stem on Access "A".
- (3) Construct a southbound right turn lane on Rea Road with 100 feet of storage.
- (4) Install a traffic signal with appropriate pedestrian accommodations at the intersection of Rea Road and Access "A" and connect with the CDOT communication system.
- (5) Extend the existing northbound left turn lane on Rea Road from 100 feet to 150 feet of storage.
- (6) Remove the negative offset of the existing left turn lanes on Rea Road including median modification if determined necessary by CDOT and NCDOT staff during the permitting review process.

**L.** Prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area B and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at Elm Lane and the internal public street (Access B).

- (1) Construct a full access intersection comprised of the improvements set out below.
  - (a) One ingress lane and two egress lanes (a terminating westbound right turn lane and a left turn lane with 100 feet of storage) on proposed Access "B".
  - (b) Provide a minimum of 100 feet internal protected stem on Access "B".
  - (c) Construct a northbound right turn lane on Elm Lane with 100 feet of storage.
  - (d) Construct a southbound left turn lane on Elm Lane with 100 feet of storage.

**M.** Prior to the issuance of a certificate of occupancy for the 401st new dwelling unit constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, the improvements described below shall be substantially completed by Petitioner at the intersection of Rea Road and Highway 51.

- (1) Construct a channelized second northbound right turn lane on Rea Road with 200 feet of storage.
- (2) Modify signalization to allow the southbound left turn on Rea Road to operate protected-only.

**N.** Prior to the issuance of a certificate of occupancy for the 401st new dwelling unit constructed on the Site and subject to the approval of CDOT and/or NCDOT and any other applicable governmental agencies, one of the two transportation mitigation options set out below (Option A or Option B) shall be substantially completed by Petitioner at the intersection of Elm Lane and Highway 51. The mitigation option to be completed by Petitioner shall be determined by CDOT/NCDOT during the permitting process.

- Option A**
- (1) Extend the existing northbound left turn lane on Elm Lane from 175 feet to 225 feet of storage.
  - (2) Construct a second northbound left turn lane on Elm Lane with 225 feet of storage.
  - (3) Restripe the existing northbound left thru/right lane on Elm Lane to a combined thru/right turn lane.
  - (4) Verify that opposing left turns on Elm Lane can run concurrently and modify signal to remove split phasing, if possible.

- Option B**
- (1) Construct a northbound left turn lane on Elm Lane with 225 feet of storage.
  - (2) Convert the existing left turn lane on Elm Lane to a combined thru-left turn lane.
  - (3) Convert the existing left-thru-right turn lane on Elm Lane to a right turn lane with 225 feet of storage and a right-turn overlap.

**O.** In the event that Petitioner cannot obtain all approvals and permits required to construct the improvements set out above in this Section 4 of the Development Standards, then Petitioner shall have no obligation to construct such improvements.

**5. ARCHITECTURAL STANDARDS**

**A. Setback**

- (1) The minimum setback from a public street shall be 14 feet from the back of the existing or proposed curb, whichever is greater, provided, however, that larger minimum building setbacks are provided on those portions of the Site that are more particularly depicted on the Rezoning Plan.
- (2) On those portions of the Site where larger minimum building setbacks are provided, parking, vehicular circulation, vehicular maneuvering space and any other site elements may be located in those areas located between the relevant buildings and the 14 foot setback from the back of the existing or proposed curb, whichever is greater.

**B. Maximum Building Height**

- (1) The maximum height of any building located on the Site shall be 65 feet as measured under the Ordinance.
- (2) The maximum height of any building located on that portion of the Site located south of the proposed east-west internal public street shall be 48 feet as measured under the Ordinance.
- (3) Subject to paragraph 5.B.(4) below, all buildings developed on the Site shall comply with the height ratio or height plane applicable in the UR-2 zoning district set out in Table 9.406(2)(a) of the Ordinance.
- (4) The height ratio or height plane applicable in the UR-2 zoning district set out in Table 9.406(2)(a) of the Ordinance shall be measured from the required setback (14 feet from back of existing or proposed curb, whichever is greater), the required side yard (5 feet) and the required rear yard (10 feet) rather than any increased setbacks or yards voluntarily provided by Petitioner on the Rezoning Plan.

**C. Architectural and Design Standards Applicable to the Entire Site**

- (1) Electrical and natural gas meter banks as well as electrical transformers shall be located outside of any required setbacks.
  - (2) All dumpster enclosure areas shall be screened from network required public or private streets, common open spaces, and any adjacent uses with materials complementary to the principal structure.
- D. Architectural and Design Standards for the Single Family Attached Dwelling Units and the Single Family Detached Dwelling Units**
- (1) The primary exterior building materials will be one or more of the following: brick veneer or similar masonry products, stone, precast stone, synthetic stone, stucco, EIFS, cementitious siding and wood.
  - (2) Vinyl, EIFS or masonry may not be used as an exterior building material. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
  - (3) 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.
  - (4) Petitioner shall provide blank wall provisions that limit the maximum blank wall expansion to fifteen (15) feet on all building levels facing public streets, including but not limited to doors, windows, awnings, material, or color changes, and/or enhancements. Porches and overhangs shall not be used in calculating the fifteen (15) foot expansions.
  - (5) To provide privacy, all residential entrances within fifteen (15) feet of the public sidewalk must be either raised or lowered a minimum of twelve (12) inches.
  - (6) Walkways shall be provided to connect all residential entrances to sidewalks along public streets.
  - (7) Garage doors, along a public or private street shall minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane or have architectural treatments such as translucent windows or projecting elements over the garage opening.
  - (8) Each single family attached dwelling unit and each single family detached dwelling unit shall have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension or other architectural feature chosen by Petitioner.

**E. Architectural Standards for Buildings Other Than Single Family Attached Dwelling Units or Single Family Detached Dwelling Units**

- (1) The permitted exterior building materials to be used on each building will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious siding, stucco, EIFS and/or wood. At least 30% of the exterior surface area of the combined or aggregated facades of each building below the roofline shall be constructed of brick, stone, precast stone and/or synthetic stone. The facades below the roofline is defined as the entire exterior surface area below the roofline excluding windows, doors, balconies and trim, so that windows, doors, balconies and trim are not considered when calculating the minimum percentage of building materials required.
- (2) Vinyl or masonry may not be used as an exterior building material, provided, however, that vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- (3) Driveways intended to serve single units shall be prohibited on all public streets.
- (4) Building Massing and Height shall be designed to break up long monolithic building forms as follows:
  - (a) Buildings exceeding 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 5 feet wide and shall project or recess a minimum of 1 foot extending through the building.
  - (5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
    - (a) Building elevations shall be designed with vertical bays or articulated architectural facade 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.
    - (b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of permitted exterior building materials (defined above in paragraph 5.E.(1)) or articulated architectural facade features and color changes.
    - (c) Building elevations facing network required public streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
    - (6) Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
      - (a) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers, or parapets. Various parapet heights will be used to break up the roofline.
      - (b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls, and accent roof elements such as shed roofs and dormers.
      - (c) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
    - (7) Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from public view with materials and design to be compatible with principal structures. Such design shall include a minimum of 20 percent of the permitted exterior building materials (defined above in paragraph 5.E.(1)) or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

**6. STREETSCAPE/LANDSCAPING**

- A.** Petitioner shall install an 8 foot wide planting strip and a 12 foot wide multi-use path along that portion of the Site's frontage on Rea Road that is located south of the intersection of the internal public street and Rea Road and is more particularly depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path may meander to preserve existing trees. Any portions of this 12 foot wide multi-use path that are not located in public right of way shall be located in a sidewalk utility easement.
- B.** Petitioner shall install an 8 foot wide planting strip and a 12 foot wide multi-use path along that portion of the Site's frontage on Elm Lane that is more particularly depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path may meander to preserve existing trees. Any portions of this 12 foot wide multi-use path that are not located in public right of way shall be located in a sidewalk utility easement.
- C.** In lieu of the installation of an 8 foot wide planting strip and a 12 foot wide multi-use path along portions of the Site's frontages on Rea Road and Elm Lane, Petitioner shall install a 12 foot wide multi-use path within the Site as generally depicted on Sheet RZ-2 of the Rezoning Plan. This 12 foot wide multi-use path shall be located in a sidewalk utility easement.
  - (1) That portion of this 12 foot wide multi-use path located within Development Area A shall be completed prior to the issuance of the first certificate of occupancy for the last building constructed in Development Area A that is adjacent to this 12 foot wide multi-use path.
  - (2) That portion of this 12 foot wide multi-use path located within Development Area B shall be completed prior to the issuance of the first certificate of occupancy for the last building constructed in Development Area B that is adjacent to this 12 foot wide multi-use path.
- D.** An 8 foot wide planting strip and an 8 foot wide sidewalk shall be installed along both sides of the internal public street to be constructed on the Site.
- E.** A minimum 50 foot wide landscape area shall be established along the southern boundary of the Site as depicted on the Rezoning Plan, and this 50 foot wide landscape area shall, at a minimum, meet the tree requirements of a Class C buffer. This 50 foot wide landscape area shall remain undisturbed except that the planting of supplemental trees shall be permitted within this 50 foot wide landscape area.

**7. ENVIRONMENTAL FEATURES**

- A.** Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.
- B.** Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.
- C.** As noted above in paragraph 1.E, the development of the Site shall be considered to be a planned/unified development. Accordingly, the tree save requirements of the City of Charlotte Tree Ordinance shall be calculated and satisfied over the entire Site, rather than within each individual Development Area. As a result, each individual Development Area shall not be required to meet the tree save requirements of the City of Charlotte Tree Ordinance provided that the Site as a whole meets such tree save requirements.
- D.** 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. Stream Delineation Reports are subject to review and approval by Charlotte-Mecklenburg Storm Water Services.
- E.** 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.

**8. OPEN SPACE/AMENITIES/GREENWAY CONNECTION**

- A.** Amenities for the residents shall be provided on the Site and shall include, at a minimum, a swimming pool, a fitness center, trails, benches and a pond.
- B.** As generally depicted on Sheet RZ-2 of the Rezoning Plan and subject to the terms of paragraph 6.C above, Petitioner shall construct and install a minimum 12 foot wide multi-use path within the Site that will provide a pedestrian connection through the Site from Elm Lane and Rea Road to the minimum 8 foot wide elevated pedestrian connection from the Site to the adjacent Four Mile Creek Greenway (described below). This minimum 12 foot wide multi-use path shall be owned and maintained by Petitioner (or its successors in interest), and it shall be located in a sidewalk utility easement to allow the public use of the same.
- C.** Prior to the issuance of the first certificate of occupancy for the last building constructed in Development Area A and subject to the approval of Mecklenburg County and any other applicable governmental agencies and authorities and the acquisition of any required easements from Mecklenburg County, Petitioner shall construct and install a minimum 8 foot wide elevated pedestrian connection on the Site to the adjacent Four Mile Creek Greenway in the general location depicted on Sheet RZ-2 of the Rezoning Plan. The actual location of this minimum 8 foot wide elevated pedestrian connection shall be determined during the permitting process. In the event that Petitioner cannot obtain all required approvals and permits or any easements from Mecklenburg County required to construct and install the minimum 8 foot wide elevated pedestrian connection as proposed, then Petitioner shall have no obligation to construct and install the minimum 8 foot wide elevated pedestrian connection.
- D.** The minimum 8 foot wide elevated pedestrian connection shall meet the standards and specifications of Mecklenburg County.
- E.** The approval of Mecklenburg County and the issuance of temporary and/or permanent easements shall be required for any work on property owned by Mecklenburg County relating to the minimum 8 foot wide elevated pedestrian connection.
- F.** Petitioner shall dedicate and convey to Mecklenburg County (or provide a permanent easement to Mecklenburg County over such area) that portion of Site on which the minimum 8 foot wide elevated pedestrian connection shall be located. Mecklenburg County will own, maintain, repair and replace (as needed) the minimum 8 foot wide elevated pedestrian connection.
- G.** Pedestrian connections from the buildings located on the Site to the minimum 12 foot wide multi-use path described above in paragraph 8.B shall be provided in various locations on the Site. The number and locations of these pedestrian connections shall be determined by Petitioner during the permitting process.

**9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- A.** If this Rezoning Petition is approved, all conditions applicable to the use and 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 Petitioner and the current and subsequent owners of the Site and their respective successors in interest and 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 any future development thereof.

REVISONS:			
No.	Date	By	Description
1	2/13/23	ENL	RESPONSE TO CITY COMMENTS
2	8/14/23	ENL	BLDG. LAYOUT REDESIGN & COMMENT RSPNSE.

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**SUTHERLAND**  
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CHARLOTTE, NC 28277  
RK INVESTMENTS CHARLOTTE, LLC

**DEVELOPMENT STANDARDS**

PETITION NO. RZP-2022-121

CORPORATE CERTIFICATIONS  
NC PE - C-2930 NC LA - C-253  
SC ENG - NO. 3599 SC LA - NO. 211

Project Manager: MDL

Drawn By: ENL

Checked By: KRT

Date: 06/28/2022

Project Number: 21074

Sheet Number:

**RZ-4**