SCALE: 1" = 20'

GEOSCIENCE RROLECT MANAGER INCORPORATE INC

TE PLAN

RZ2

--ACREAGE: + 1.64 ACRES --TAX PARCEL #S: 079-082-04 079-082-05, 079-082-06 079-082-07, 079-082-08, 079-082-09, 079-082-10, 079-082-98 AND 079-082-99 --EXISTING ZONING: R-5

--PROPOSED ZONING: UR-2(CD) --EXISTING USES: VACANT

--PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3). --MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO 26 ATTACHED DWELLING UNITS AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE --MAXIMUM BUILDING HEIGHT: UE TO 38 FEET FOR THE UNITS THAT FRONT ON CATALINA, AND UP TO 46 FEET FOR THE UNITS THAT DO NOT FRONT ON CATALINA. HEIGHT TO BE MEASURED PER THE ORDINANCE. --PARKING: AS REQUIRED BY THE ORDINANCE. A MINIMUM OF 10 INTERNAL GUEST/VISITOR PARKING SPACES WILL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

#### 1. GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY VISION VENTURES ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF HIGH-QUALITY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 1.64-ACRE SITE LOCATED ON THE EAST SIDE OF CATALINA AVE. BETWEEN W. 26<sup>Th</sup> STREET AND W. 28<sup>1 H</sup> STREET (THE "SITE").

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 UR-2 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS. driveways, streets, building and parking envelopes 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 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. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

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

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO FIGHT (8).

(FOR THE PRINCIPAL BUILDINGS WITH FRONTAGE ON CATALINA AVE. NO MORE THAN FOUR (4) UNITS PER BUILDING WILL BE ALLOWED. FOR THE PRINCIPAL BUILDINGS WITH FRONTAGE ON CATALINA AVE.) A MAXIMUM OF SEVEN (7) UNITS PER BUILDING WILL BE ALLOWED. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING. 2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 26 ATTACHED DWELLING UNITS AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2(CD) ZONING DISTRICT.

### 3. ACCESS AND TRANSPORTATION.

a. ACCESS TO THE SITE WILL BE FROM CATALINA AVENUE. THE ACCESS TO CATALINA AVE. WILL BE DESIGNED AS A TYPE II MODIFIED DRIVEWAY. b. ON-STREET PARKING WILL BE PROVIDED ALONG CATALINE AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.

VEHICULAR ACCESS TO THE SITE 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 AND CONSTRUCTION PLANS AND DESIGNS AND AS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) d. As depicted on the rezoning plan, the site will be served by internal private alleys as generally depicted on the rezoning plan. The internal PRIVATE ALLEYS WILL BE PRIVATELY MAINTAINED BY THE HOA. MINOR ADJUSTMENTS TO THE LOCATION OF THESE ALLEYS OR STREET SHALL BE ALLOWED DURING THE

CONSTRUCTION PERMITTING PROCESS IN COORDINATION WITH COOT.

(e) THE INTERNAL PRIVATE ALLEY WILL BE UTILIZED TO ACCESS THE GARAGE FOR EACH UNIT.

(f) PETITIONER SHALL DEDICATE (AND CONVEY IN FEE SIMPLE) 3.5. FEET OF RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE OF CATALINA AVE. AS INDICATED ON THE REZONING PLAN PRIOR TO THE SSUANCE OF THE SHEST BUILDING CERTIFICATE OF OCCUPANCY. THE RIGHT-OF-WAY WILL BE SET 2 FEET BEHIND THE BACK OF SIDEWALK WHEN FEASIBLE.

g. The Petitioner will have all the proposed transportation improvements approved and constructed and provide any required sidewalk and ILITY EASEMENTS NEEDED FOR THESE IMPROVEMENTS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY, SUBJECT TO THE PETITIONER'S ABILITY TO REQUEST THAT CDOT ALLOW A BOND TO BE POST FOR ANY ROADWAY IMPROVEMENTS NOT FINALIZED AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY AS ALLOWED BY CITY REGULATIONS... h. 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'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY COOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT COOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS

4. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

a. ALONG CATALINA AVE. A 33-FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB OF THE PROPOSED RECESSED ON-STREET PARKING SPACE WILL BE PROVIDED AS GENERALLY INDICATED ON THE REZONING PLAN. (THE INNER SIX (6) FEET) OF THE PROPOSED 33-FOOT SETBACK WILL BE A TRANSITION ZONE IN WHICH STAIRS AND STAIR RAILS, STOOPS COVERED PORCHES AND OTHER ARCHITECTURAL FEATURES WILL BE ALLOWED, AS LONG THEY DO NOT EXTEND INTO THE RIGHT-OF-WAY.

b. THE PETITIONER WILL CONSTRUCT AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK ALONG CATALINA AVE. AS GENERALLY DEPICTED ON THE REZONING PLAN.

A SIDEWALK CONNECTION FROM EACH UNIT FRONTING ON CATALINA AVE. TO THE SIDEWALK ALONG CATALINA AVE. WILL BE PROVIDED AS GENERALLY DEPICTED ON d. The petitioner will install a 12-foot class c buffer with a six-foot (6) privacy fence as allowed by the ordinance as generally depicted on the REZONING PLAN. THE 12-FOOT BUFFER WILL BE PLANTED TO MEET THE STANDARDS FOR A 16-FOOT CLASS C BUFFER. e. EACH UNIT WILL BE PROVIDED WITH 400 SQUARE FEET OF PRIVATE OPEN SPACE AS REQUIRED BY THE ORDINANCE AS GENERALLY DEPICTED ON THE REZONING PLAN.

PETITIONER RESERVES THE RIGHT TO UTILIZE THE PROVISION TO MEET THE PRIVATE OPEN SPACE REQUIREMENT BY PROVIDING 10% OF THE SITE AREA AS USEABLE COMMON S 5. ARCHITECTURAL STANDARDS:

## a. THE ACTUAL SIZES OF THE RESIDENTIAL DWELLING UNITS/LOTS MAY VARY FROM THE SIZES DEPICTED ON THE REZONING PLAN.

b. EACH RESIDENTIAL DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED. USABLE PORCHES SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT OF THE BUILDINGS THAT FACE CATALINA) AVENUE. USABLE FRONT PORCHES SHALL BE COVERED AND BE AT LEAST 4 FEET DEEP.

e. THE FRONT ELEVATION OF EACH DWELLING UNIT ALONG CATALINA AVE. SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET ON EACH LEVEL OF THE DWELLING UNIT.

f. RESIDENTIAL BUILDINGS THAT ARE ADJACENT TO AND FRONT A PUBLIC STREET SHALL NOT CONTAIN MORE THAN FOUR (4) INDIVIDUAL SINGLE FAMILY ATTACHED DWELLING UNITS. q. THE PRINCIPAL BUILDINGS USED FOR SINGLE-FAMILY ATTACHED (TOWNHOME) CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED (OR USED IN COMBINATION) MAY INCLUDE THE FOLLOWING: BRICK, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC

h. HVAC UNITS WILL NOT BE ALLOWED IN THE SETBACK AND WILL BE SCREENED FROM PUBLIC VIEW. IF LOCATED BETWEEN THE BUILDINGS AND (CATALINA AVENUE ) HVAC UNITS WILL BE SCREENED WITH A DECORATIVE FENCE OR LANDSCAPING. 6. **ENVIRONMENTAL FEATURES**:

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

b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE. THE FINAL LOCATION OF THE REQUIRED TREE SAVE AREAS WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. TREE SAVE AREAS WILL COMPLY WITH THE REQUIREMENTS OF THE TREE ORDINANCE.

ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, AND DOWNWARDLY DIRECTED. THE MAXIMUM HEIGHT OF DETACHED LIGHTING WILL BE LIMITED TO 15 FEET. 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 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.

# 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 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 DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR

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