

# DEVELOPMENT STANDARDS TM - OAKDALE REZONING PETITION NO. 2022-XXX 05/17/2022

### SITE DEVELOPMENT DATA:

- A. SITE AREA: +/- 43.72 ACRES
- B. PARCEL NUMBER: 03324111, 03324105, 03324125, 03324126, 03324124, AND 03324116
- C. EXISTING ZONING: R-3
- D. PROPOSED ZONING: MX-2(INNOV)
- E. EXISTING USE: VACANT; SINGLE FAMILY RESIDENTIAL ACREAGE
- F. PROPOSED USES: UP TO THREE HUNDRED TWENTY (320) SINGLE-FAMILY DETACHED AND/OR ATTACHED DWELLING UNITS AND/OR MULTI-FAMILY DWELLING UNITS (QUADRAPLEXES)
- G. MAXIMUM BUILDING HEIGHT: UP TO FORTY (40) FEET AS MEASURED PER THE ORDINANCE

### I. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TAYLOR MORRISON (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 43.72-ACRE SITE LOCATED ON THE SOUTH SIDE OF MT. HOLLY HUNTERSVILLE ROAD, WEST OF OAKDALE ROAD, AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF PORTIONS OF THE FOLLOWING TAX PARCEL NUMBERS: 03324111, 03324105, 03324125, 03324126, 03324124, AND 03324116.
- B. DEVELOPMENT 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, OR AS OTHERWISE PROVIDED IN THE INNOVATIVE STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, 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 ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- D. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

# II. INNOVATIVE STANDARDS

THE PETITIONER REQUESTS TO USE THE INNOVATIVE PROVISIONS OF THE MX-2 ZONING DISTRICT FOR THE FOLLOWING ACCOMMODATIONS:

- A. TO ALLOW FOR A REDUCTION IN THE PARKING REQUIREMENTS FOR A MINIMUM OF ONE (1) PARKING SPACE PER UNIT;
- B. TO PROVIDE TEN (10) FOOT BUILDING SETBACK FROM BACK OF CURB OR RIGHT-OF-WAY, WHICHEVER IS GREATER;
- C. TO PROVIDE FLEXIBILITY TO INCORPORATE PRIVATE STREETS TO BE BUILT TO PRIVATE STREET STANDARDS;
- D. TO NOT REQUIRE UNITS TO FRONT RIGHT-OF-WAY OR BE WITHIN A MINIMUM DISTANCE OF RIGHT-OF-WAY;
- E. TO PROVIDE A MINIMUM OF 10% COMMON OPEN SPACE;
- F. TO ALLOW DRIVEWAYS TO BE A MINIMUM OF TWENTY (20) FEET FROM THE FACE OF THE CURB; AND
- G. TO PROVIDE A MINIMUM TEN (10) FOOT BUILDING SEPARATION.

# III. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF THREE HUNDRED TWENTY (320) SINGLE-FAMILY DETACHED AND/OR ATTACHED DWELLING UNITS AND/OR MULTI-FAMILY ATTACHED (QUADRAPLEX) UNITS, INCLUDING ANY INCIDENTAL AND ACCESSORY USES PERMITTED BY-RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MX-2 ZONING DISTRICT.

# IV. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. MINOR MODIFICATIONS TO THE ACCESS POINT SHALL BE PERMITTED BASED ON CDOT REQUIREMENTS AND DURING PERMITTING.
- B. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC/PRIVATE STREETS AND MINOR ADJUSTMENTS TO THE LOCATION OF THE

INTERNAL STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.

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- C. THE PETITIONER SHALL DEDICATE ALL NECESSARY RIGHTS-OF-WAY IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- D. UNLESS STATED OTHERWISE HEREIN, THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY FOR THE ASSOCIATED PHASE OF DEVELOPMENT AS GENERALLY DEPICTED ON THE REZONING PLAN.

### V. ARCHITECTURAL STANDARDS

- A. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS SHALL BE COMPRISED OF A COMBINATION OF PORTIONS OF BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, CEMENTITIOUS SIDING, FIBER CEMENT ("HARDIPLANK"), METAL, AND/OR OTHER MATERIALS APPROVED BY THE PLANNING DIRECTOR.
- B. PROHIBITED EXTERIOR BUILDING MATERIALS: (I) VINYL SIDING, EXCLUDING VINYL HANDRAILS, WINDOWS, SOFFITS, DOORS OR DOOR TRIM, AND (II) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- C. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 4:12, EXCEPT THAT ROOFS FOR PORCHES (IF PROVIDED) MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- D. USABLE PORCHES AND STOOPS MAY BE INCORPORATED AS A FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. USABLE FRONT PORCHES, WHEN PROVIDED, SHOULD BE COVERED AND BE AT LEAST FOUR (4) FEET DEEP. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHOULD NOT BE ENCLOSED.
- E. WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS.
- F. THE MAXIMUM NUMBER OF UNITS PER BUILDING SHALL BE FOUR (4) UNITS (I.E., QUADRAPLEX).

### VI. OPEN SPACE AND AMENITIES

- A. A MINIMUM OF 10% OF THE SITE AS COMMON OPEN SPACE, WHICH MAY OVERLAP WITH TREE SAVE AREAS, SHALL BE PROVIDED THROUGHOUT THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- B. THE AMENITY AREA SHALL INCLUDE A MINIMUM OF THREE (3) OF THE FOLLOWING ELEMENTS: COVERED PAVILION/SHELTER, BENCHES, PICNIC TABLES, LEASING OFFICE, MAINTENANCE BUILDING(S), FITNESS FACILITY/YOGA ROOM, GATHERING ROOM, POOL, BUTTERFLY GARDEN, AND/OR DOG PARK.

# VII. ENVIRONMENTAL FEATURES

- A. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER 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.
- B. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER, IF APPLICABLE, 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 STORM WATER SERVICES.
- C. THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE.

# VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS 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 SUCCESSORS IN INTEREST AND ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

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