

**SITE DATA:**

CURRENT ZONING: R-8MF / R-3  
 PROPOSED ZONING: UR-C (CD)  
 SITE AREA: 3.0 ACRES  
 MAX. FLOOR AREA RATIO: 3.0  
 MAXIMUM HEIGHT: 140'  
 \*1 FOOT OF ADDITIONAL SIDEYARD PROVIDED FOR EVERY 10' OF BUILDING HEIGHT ABOVE 40'.

MAXIMUM # OF UNITS: 65

MIN PARKING PROVIDED: 1 SPACE / UNIT  
 MAX PARKING PROVIDED: 3 SPACES / UNIT

Class C landscaped buffer shall be provided adjacent to single family zoning. The width of the landscape buffer shall be 16.5 feet wide with a 6' tall solid masonry screen fence.

20' minimum rear yard. The maximum height may be increased above 60 feet provided the side and rear yards are increased one foot for every 10 feet of building height increase over 60 feet.

5' minimum side yard. The maximum height may be increased above 60 feet provided the side and rear yards are increased one foot for every 10 feet of building height increase over 60 feet.

The minimum setback from the future curb is 14 feet.

The access point will be located off of Fairview Road. The exact locations may vary somewhat from those depicted based on the final design and review as regulated by CDOT and where applicable, NCDOT. Dashed lines indicate sight triangles. Two 35' x 35' and two 10' x 70' sight triangles are required. Proposed trees and fencing will not interfere with sight triangles. Driveway to be a Type III driveway entrance.

**Fairview Road Development Standards**

June 23 2007

**1. General Provision**

1.1 This petition relates to approx. 3 acres of land at 5626 Fairview Road in Charlotte, NC. The site is currently zoned R-8MF for the westernmost lot, R-3 for lots 30, 31 and 32.  
 1.2 The purpose of this petition is to rezone the site to UR-C (CD) Urban Residential Commercial Conditional District.

1.3 Unless more stringent standards are established by The Technical Data Sheet or these Development Standards, all applicable development standards established by the Charlotte-Mecklenburg Planning Commission for Multi-Family Development under UR-C (CD) Zoning shall be followed with respect to the site.

1.4 The petition requests that should the current building located at 5626 Fairview Road be relocated to the location depicted on the Technical Data Sheet, the new use shall be single family. The house at its current location may contain a bed and breakfast, office, multi-family or single family use.

**2. Building Limitations**

2.1 This proposal is intended to accommodate a development of a multi-family development not to exceed a maximum floor area ratio of 3.0. The current total area of the site is 3.0 acres or 130,680 sq. ft. The 50' future R.O.W. for lots 30, 31 and 32 will reduce the total area by 6,536.4 sq. ft. (20 feet from the front property line). The total net area is 124,143.6 sq. ft. The resulting maximum floor area for the building footprint is 372,430.8.

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Class C landscaped buffer shall be provided adjacent to single family zoning. The width of the landscape/buffer shall be 16.5 feet wide with a 6' tall solid masonry screen fence.

Open space to include landscaping, garden and sitting areas.

Internal sidewalk w/ raised crosswalk

Internal sidewalk

Off street parking shall meet the standards set forth in the UR-C (CD) District. The minimum number of spaces shall be 3 parking spaces per unit.

Exit only

Connection to sidewalk along Fairview Road

To covered parking

15:1 Left Lane taper

150' storage left turn lane

The Petitioner will dedicate and convey the land for the 50' future R.O.W. along Fairview Road

The Petitioner will dedicate and convey the land for the 50' future R.O.W. along Fairview Road

2.2 The minimum setback from the future curb is 14 feet. The face of curb will be 38'-0" from the Fairview Road Centerline.

2.3 The minimum rear yard shall be 20 feet.

2.4 The minimum side yard shall be 5 feet.

2.5 Maximum building height shall be 140 feet. The maximum height may be increased above 60 feet provided the side and rear yards are increased one foot for every 10 feet of building height increase over 40 feet.

2.6 The maximum number of units shall be 65 residential units.

2.7 The residential building will be stepped from high to low as generally indicated on the Technical Data Sheet.

**3. Access Point**

3.1 The access point will be located off of Fairview Road access from Closeburn Road as indicated on the Illustrative Site Plan. The exact locations may vary somewhat from those depicted based on the final design and review as regulated by CDOT and where applicable, NCDOT.

3.2 The main driveway will be 32 feet wide and have a min. internal stacking distance of 100 feet. The new driveway will be a Type III driveway.

3.3 The access point to the relocated house shall be from the existing driveway curb cut location off of Wintercrest Lane.

3.4 A left turn lane will be installed in the median on Fairview Road with 150' of stacking and a 15:1 taper to taper lane.

**4. Screening, Landscaping and Existing Natural Environment**

4.1 The Site development will address guidelines set forth in the General Development Policies for the Natural Environment. Items of consideration will include the preservation of existing slopes and to retain as much existing landscaping as feasible.

4.2 A class C landscaped buffer shall be provided adjacent to single family zoning. The width of the landscape buffer will be 16.5 feet wide with a 6' tall solid masonry screen fence.

4.3 The development will coordinate with the existing City of Charlotte sidewalk Project on Fairview Road and Wintercrest Lane. Development of a 6' wide landscaped buffer along Fairview Road and Wintercrest Lane with a 6' planting strip and a 6' sidewalk along Wintercrest Lane.

4.4 Petitioner will provide a minimum 12% Tree Save.

Tree save areas are planned along length of the property line abutting Single family zoning. A tree save plan, including trees located within the City R.O.W., meeting city requirements will be submitted.

**5. Vehicular Parking**

5.1 Off street parking shall meet the standards set forth in the UR-C (CD) District. The minimum number of spaces shall be 1 parking space per unit; the maximum number of spaces shall be 3 parking spaces per unit.

5.2 Typical open air at grade parking module to be a minimum 8.5 wide x 18.5 deep against an adjacent wall or space and 17' deep adjacent to a curb. Parking within the enclosed parking garage will be a minimum 8.5 wide x 18' deep. No more than 25% of the parking spaces will be compact spaces.

5.3 An internal system of sidewalks will connect the building entrance with the parking areas and Fairview Road in order to provide for pedestrian walkways through the site.

5.4 All parking may be at grade, underground or any combination thereof on the site.

**6. Statements with respect to the graphics depicted on the exhibits accompanying the Technical Data Sheet**

6.1 The ultimate layout of the development proposed for each component of the site and the parcels or lots forming parts thereof, the exact alignment of streets, the configuration and placement of the buildings to be constructed have not been determined. As a consequence, the graphics which accompany the Technical Data Sheet are schematic in nature and are not to be considered as specific site development plans but rather as preliminary graphic representations of the types and quality of development proposed for each component.

**7. Plan Review**

7.1 The development shall satisfy the requirements for plan review imposed by Section 9.401 of the Charlotte Zoning Ordinance and attempt to design within the guidelines as set forth in The Development Standards for Multi-Family Developments.

**8. Amendments to Rezoning Plan**

8.1 Future amendments to the Technical Data Sheet and the Development Standards may be applied for by the then owner or owners of the parcel or parcels involved in accordance with The Charlotte Zoning Ordinance.

**9. Binding Effect**

9.1 If this rezoning petition is approved, the development program established under these Development Standards and The Technical Data Sheet shall, unless amended in the manner provided under the provisions of this petition, be binding on the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

9.2 Throughout this Rezoning Petition, the terms "Petitioner", "Owner" or "Owners", shall, with respect to each parcel within the site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the owner or owners of the Site who may be involved in the development from time to time.

**10. Land Use and Environmental**

10.1 Development may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to demolition or renovation of an existing structure

10.2 A solid waste management plan will be submitted prior to initiating demolition and/or construction activities to include procedures to recycle all clean wood, metal, and concrete generated during demolition and construction activities. A monthly report of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report will include the identification and location of facilities receiving disposed or recycled materials.

10.3 Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have water quality best management practices (BMP's) to treat storm water runoff from the entire built-upon area within the separate, defined drainage area. The BMP's are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1 inch of rainfall. The BMP's must be designed and installed in accordance with the NCCENR Best Management Practices Manual, April 1999, Section 4.0. Low Impact Design systems may be employed in whole or part, to meet the 85% TSS treatment standard for storm water runoff. LID systems to be designed and constructed per the NCCENR Best Management Practices Manual, April 1999, Section 4.0.

10.4 Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMP's) to control the entire runoff volume for the 1 year, 24 hour storm. The runoff volume drawdown time for the BMP's shall be a minimum of 24 hours, but not more than 120 hours. Control the peak runoff rates to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and, if so, for what level of protection. The peak runoff rate shall be controlled by BMP's to control the peak for the 10-yr and 25-yr 6-hour storms. Stormwater runoff for the entire development shall be transported from the site by vegetated conveyances to the maximum extent practicable.

10.5 The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and regulations, including but not limited to, standards for stormwater, and site requirements, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 20 and 21 of the city code. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.

10.6 Storm water retention will not be allowed in the setbacks or buffers.

2.2 The minimum setback from the future curb is 14 feet. The face of curb will be 38'-0" from the Fairview Road Centerline.

2.3 The minimum rear yard shall be 20 feet.

2.4 The minimum side yard shall be 5 feet.

2.5 Maximum building height shall be 140 feet. The maximum height may be increased above 60 feet provided the side and rear yards are increased one foot for every 10 feet of building height increase over 40 feet.

2.6 The maximum number of units shall be 65 residential units.

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3.3 The access point to the relocated house shall be from the existing driveway curb cut location off of Wintercrest Lane.

3.4 A left turn lane will be installed in the median on Fairview Road with 150' of stacking and a 15:1 taper to taper lane.

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4.4 Petitioner will provide a minimum 12% Tree Save.

Tree save areas are planned along length of the property line abutting Single family zoning. A tree save plan, including trees located within the City R.O.W., meeting city requirements will be submitted.

Should the existing House located at 5626 Fairview Road be relocated on the site, the use shall be single family only.

Existing driveway curb cut to remain.

14' setback from existing curb line.

50' Future R.O.W.

Line of Future Curb

Single Family House lot size 4+ 0.55 acres

Relocated House

Residential Open Area

Tree save areas along property line

Open space to include landscaping, garden and sitting areas.

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