

CC FUND 3, LLC
 DEVELOPMENT STANDARDS
 05/26/2022
 REZONING PETITION NO. 2020-245

Development Data Table:

ACREAGE:	+/- 1.44 acres
TAX PARCEL:	079-042-03
Existing Zoning:	I-2
Proposed Zoning:	MUDD (CD)
Existing Use:	AUTOMOTIVE REPAIR
Proposed Uses:	Residential dwellings units as permitted by right, and under prescribed conditions, together with accessory uses, as allowed in the MUDD zoning district (all as more specifically described and restricted below in Section 3).
Maximum Number of Residential Dwelling Units:	Up to 36 attached dwelling units (townhomes for sale) as allowed by right and under prescribed conditions in the MUDD zoning district.
Maximum Building Height:	Up to 46 feet. Height to be measured per the Ordinance.
Parking:	As required by the Ordinance. A minimum of six (6) internal guest/visitor parking spaces will be provided on the site as generally depicted on the Rezoning Plan.

1. GENERAL PROVISIONS:

- 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 CC FUND 3, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HIGH-QUALITY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 1.44 ACRE SITE LOCATED AT 1022 WOODWARD AVE. (THE "SITE").
- 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 MUDD ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- 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 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 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.

- NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO EIGHT (8). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS 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:

- THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 36 ATTACHED DWELLING UNITS (TOWNHOMES FOR SALE) AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD(CD) ZONING DISTRICT.

3. ACCESS AND TRANSPORTATION.

- ACCESS TO THE SITE WILL BE FROM WOODWARD AVENUE. VEHICULAR ACCESS TO CARTER AVENUE IS NOT ALLOWED. THE ACCESS TO WOODWARD AVE. WILL BE DESIGNED AS A TYPE II MODIFIED DRIVEWAY.
- THE PROPOSED DRIVEWAY TO WOODWARD AVENUE MAY SHIFT. THE FINAL LOCATION OF THE PROPOSED DRIVEWAY TO WOODWARD AVENUE WILL BE DETERMINED AT THE TIME OF LAND DEVELOPMENT PERMITTING FOR THE SITE, AND THAT THE PROPOSED DRIVEWAY WOULD BE SHIFTED TO ALIGN WITH THE EXISTING DRIVEWAY ACROSS WOODWARD IF AT THE TIME OF PERMITTING FOR THE SITE, SITE PLANS TO DISCONTINUE THE USE OF THE EXISTING DRIVEWAY ON THE SOUTH SIDE OF WOODWARD HAD NOT BEEN SUBMITTED TO THE CITY FOR REVIEW.
- ON-STREET PARKING WILL BE PROVIDED ALONG WOODWARD AND CARTER AVENUES 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).
- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE ALLEYS OR STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL PRIVATE STREET AND 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 CDOT.
- PETITIONER SHALL PROVIDE INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

- PETITIONER SHALL DEDICATE 36 FEET OF RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE OF WOODWARD AVE. AS INDICATED ON THE REZONING PLAN, IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. THE RIGHT-OF-WAY WILL BE SET 2 FEET BEHIND THE BACK OF SIDEWALK WHEN FEASIBLE.

- THE PETITIONER WILL HAVE ALL THE PROPOSED TRANSPORTATION IMPROVEMENTS APPROVED AND CONSTRUCTED, AND PROVIDE ANY REQUIRED SIDEWALK AND UTILITY 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.

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

- ALONG WOODWARD AVE. AN 18-FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB WILL BE PROVIDED AS GENERALLY INDICATED ON THE REZONING PLAN. ALONG CARTER AVE. A 20-FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. ENCROACHMENTS INTO THE SETBACK AS ALLOWED BY THE ORDINANCE ARE PERMITTED.
- THE PETITIONER WILL CONSTRUCT AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK ALONG CARTER AVE. AND WOODWARD AVE. AS GENERALLY DEPICTED ON THE REZONING PLAN.
- A SIDEWALK CONNECTION FROM EACH UNIT FRONTING ON WOODWARD AND CARTER AVE. WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.
- ALONG THE WESTERN PROPERTY BOUNDARY, THE PETITIONER WILL INSTALL A DECORATIVE PRIVACY FENCE.

5. ARCHITECTURAL STANDARDS:

- THE ACTUAL SIZES OF THE RESIDENTIAL DWELLING UNITS/LOTS MAY VARY FROM THE SIZES DEPICTED ON THE REZONING PLAN.
- EACH RESIDENTIAL DWELLING UNIT CONSTRUCTED ON THE SITE SHALL HAVE A GARAGE
- TO PROVIDE PRIVACY, ALL RESIDENTIAL ENTRANCES WITHIN 15 FEET OF THE SIDEWALK ALONG WOODWARD AVE. MUST BE RAISED FROM THE AVERAGE SIDEWALK GRADE A MINIMUM OF 12 INCHES. THIS STANDARD WILL NOT APPLY TO UNITS THAT DUE TO EXISTING TOPOGRAPHY ARE LOCATED BELOW THE EXISTING GRADE OF CARTER AVE.
- 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 AND/OR STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT OF THE BUILDINGS THAT FACE WOODWARD AND CARTER AVENUES. USABLE FRONT PORCHES, WHEN PROVIDED, SHALL BE COVERED AND BE AT LEAST 5 FEET DEEP. STOOPS AND ENTRY LEVEL PORCHES MAY BE COVERED BUT SHALL NOT BE ENCLOSED. STOOPS ARE NOT REQUIRED TO BE 5' MINIMUM DEPTH BUT SHALL HAVE A COVERING OVER THE ENTRY DOOR. PORCHES AND STOOPS FRONTING ON THE INTERIOR PRIVATE ALLEYS WILL BE LOCATED BEHIND THE SIDEWALK. UNITS WITH FRONTOAGE ONLY ON THE INTERNAL PRIVATE ALLEYS ARE NOT REQUIRED TO PROVIDE A PORCH OR A STOOP.
- THE FRONT ELEVATION OF EACH DWELLING UNIT SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAILS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF THE DWELLING UNIT.
- WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND/OR PRIVATE STREETS.
- RESIDENTIAL BUILDINGS THAT ARE ADJACENT TO AND FRONT A PUBLIC STREET SHALL NOT CONTAIN MORE THAN 6 INDIVIDUAL SINGLE FAMILY ATTACHED DWELLING UNITS.

- THE PRIMARY EXTERIOR BUILDING MATERIALS FOR BUILDINGS CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS SIDING.
- VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDINGS CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS. ADDITIONALLY, ALUMINUM MAY BE USED ON TRIM AND GARAGE DOORS.

- HVAC UNITS WILL NOT BE ALLOWED IN THE SETBACK AND WILL BE SCREENED FROM PUBLIC VIEW. IF LOCATED BETWEEN THE BUILDINGS AND WOODWARD OR CARTER AVENUES HVAC UNITS WILL BE SCREENED WITH A DECORATIVE FENCE.

6. ENVIRONMENTAL FEATURES:

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. 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 TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- 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.

7. LIGHTING:

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 21' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.

8. AMENDMENTS TO THE REZONING PLAN:

- 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:

- 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 ASSIGNS.

KEY MAP

SEAL

PRELIMINARY
FOR REVIEW ONLY

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XXXX XXXXXX #41122
ENGINEER REG. # DATE

NOT FOR
CONSTRUCTIONWOODWARD
AVENUE
TOWNHOMES
 CAROLINA CAPITAL REAL ESTATE
PARTNERS
1022 WOODWARD AVENUE,
CHARLOTTE NC, 28205

REZONING # 2021-245
LANDDESIGN PROJ # 1021288

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	10.21.2021
2	2ND SUBMITTAL	04.11.2022
3	3RD SUBMITTAL	05.26.2022

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

SCALE: N/A
NORTH

VERT: N/A
HORZ: N/A
[Redacted]
(NOT TO SCALE)
ORIGINAL SHEET SIZE: 24" X 36"
SHEET TITLE: DEVELOPMENT STANDARDS
SHEET NUMBER: RZ-2

