

Site Development Data:

—Acreage: ± 14.90 ac
—Tax Parcel #: 203-189-05 & portion of 203-189-02
—Existing Zoning: B-D(CD), IC-1, and OFC
—Proposed Zoning: N2-A(CD)

—Existing Uses: Vacant

—Proposed Uses: A multi-dwelling development with up to one hundred and thirty (130) dwelling units which may include a combination of duplex, triplex, quadraplex and/or multi-family attached dwelling units as allowed by right and under prescribed conditions in the N2-A zoning district together with accessory uses as more specifically restricted below in Section 2.

—Maximum Building Height: Not to exceed maximum permitted by Ordinance.

—Parking: Will be provided as required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by DR Horton to accommodate the development of a residential community on an approximately ±14.90-acre site located between Nations Ford Road and W. Hebron Street, north of the Central Piedmont Community College (CPCC) campus and south of Arrowood Road in south Charlotte, NC (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 Unified Development Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) regulations established under the Ordinance for the N2-A zoning classification for the portion of the Site so designated on the Rezoning Plan 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, Development Areas 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 Article 37 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 Minor Amendment Process per Article 37.3 of the Ordinance. These instances would include changes to graphics if they are 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 Minor Amendment Process per Article 37.3 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed with a multi-dwelling development with up to one hundred and thirty (130) dwelling units which may include a combination of duplex, triplex, quadraplex and/or multi-family attached dwelling units as allowed by right and under prescribed conditions in the N2-A zoning district together with accessory uses.

3. Access, and Transportation Improvements:

a. Access to the Site will be from Nations Ford Road, Peppervine Lane out to W. Hebron Street, and an extension of Old Hebron Street through the site as generally depicted on the Rezoning Plan. Peppervine Lane will be extended into the Site and the connection will be evaluated and coordinated with Subdivision and CDOT during permitting.

b. The internal network required streets will be constructed with an eight (8) foot planting strip and an eight (8) foot sidewalk per the local residential street cross-section for properties within the Neighborhood 2 Place Type. While Table 33-2 of the Ordinance indicates internal local network required streets are to be a local residential wide per CLDSM U-03, the Petitioner may request that the internal local network required streets be constructed per the local residential medium street cross section per CLDSM U-02 if approved by CDOT and Planning during the land development review process to create a better transition between the abutting residential development when extending existing street networks and/or where the majority of the network required streets access front loaded garage units. The petitioner is also required to demonstrate that adequate on-site parking is provided. The internal streets identified as Peppervine Lane, Road D, and the extension of Old Hebron Road are to be public network required streets. All other internal streets may be built as public or private streets.

c. Nations Ford Road is designated a 2+ Avenue with buffered/separated bike lanes on the adopted Charlotte Streets Map. The required distance from the centerline to the future back of curb is a minimum of twenty-seven (27) feet for this street designation. The curb and gutter will be constructed at this dimension to accommodate the bicycle facilities.

d. W. Hebron Street is designated a 2+ Avenue with buffered/separated bike lanes on the adopted Charlotte Streets Map. The required distance from the centerline to the future back of curb is a minimum of twenty-seven (27) feet. The existing curb and gutter does not need to be relocated.

14260528v3

14260528v3

6. Public art/sculpture. Public art, either in the form of murals, sculpture, or other mediums alongside the details of the art intervention (inclusive of type, size, and location) shall be provided during land development review. The petitioner may use the City of Charlotte's Creative Artist Pool to utilize for implementing any public art. Interactive elements that users the enjoyment of sensory stimulation. These elements should include but not be limited to music, water, light and play.
7. Decorative lighting elements that include uplighting of trees or other open space elements and additional ambient lighting elements to enhance the experience of the space. When this element is utilized, the petitioner shall provide a lighting plan to plan review staff that provides details/technical notes on the element along with the location of installation.
9. At least one common open space area shall be accessible from all residential lots in the residential development within a 1,000-foot radius of the common open space area. This radius is measured in a straight line from the lot line, without regard for street, sidewalk or trail connections, to the nearest point of the open space. Multiple common open space areas may be needed to meet this requirement.

5. General Design Guidelines:

a. The residential buildings on the Site will comply with the applicable residential site layout, building design standards, and building material restrictions found in Article 5 of the Ordinance. When a building abuts both a frontage and common open space and the building fronts along the common open space as permitted per Article 5.3.G, the general design guidelines of this section will apply to the facades of the buildings fronting the common open space

b. Windows, doors, porches, stoops, or other architectural features are required on all frontage-facing facades to avoid the appearance of blank walls. All ground floor entrances to individual units on a frontage with a sidewalk shall be between 1' and 5' above or below the grade of the adjacent sidewalk when located within 10' of the back of sidewalk. Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building. When porches are provided, they shall be covered and be at least six (6) feet deep. When stoops are provided, they shall be at least three (3) feet deep and be covered.

c. The facades of the buildings abutting public streets and internal network required streets will not have blank walls that exceed twenty (20) feet in length on all building levels. Windows will be provided on these facades abutting public streets and internal network required streets in order to accommodate a minimum 25% transparency on the ground floor and 15% transparency on the upper floors to avoid blank walls.

d. Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure as follows: (i) 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, dormer or parapets; and (ii) For pitched roofs the minimum allowed is 5:12 excluding buildings with a flat roof and parapet walls.

14260528v3

e. Meter banks, HVAC, and related mechanical equipment will be screened as required per the Ordinance. Ground-mounted or wall-mounted mechanical equipment shall not be located in the established setbacks along a frontage.

f. Dumpster and recycling area will be fully enclosed on three sides by a minimum 75% opaque fence with one side being a decorative gate. The fence used to enclose the dumpster will be of a material prescribed by the Ordinance and be of a compatible color used on the principal buildings.

g. A minimum of 60% of the residential buildings within the multi-dwelling development will contain five (5) or less dwelling units. No more than six (6) attached dwelling units may be located in a residential building. No more than 15% of the total number of residential buildings on the Site shall contain six (6) attached dwelling units and such buildings will be located internal to the Site.

h. All residential buildings will have garages. Residential buildings with front loaded garages will include a minimum 20' long parking pad measured from the back of sidewalk or right-of-way, whichever is greater.

i. Walkways shall be provided to connect all residential entrances to sidewalks along abutting streets. For dwelling units which front along a network required street, a direct pedestrian connection will be provided from the entrance to the adjacent public sidewalk.

j. Accessory buildings and structures associated with the multi-dwelling development will be constructed utilizing similar building materials, colors, architectural elements, and designs as the principal building(s) located on the Site.

6. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance, Stormwater Articles 23 through 28. The location, size, and type of storm water management systems that may be 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 petition and are subject to change. A portion of the Site contains tree save for the CPCC campus and will be relocated to CPCC property across W. Hebron Street on parcel 203-185-29 prior to land development review and approval if the area is to be utilized as

b. The Site will comply with the Tree provisions of the Ordinance found in Article 20. The final location of the required tree save/replanted tree save areas 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 petition and are subject to change. A portion of the Site contains tree save for the CPCC campus and will be relocated to CPCC property across W. Hebron Street on parcel 203-185-29 prior to land development review and approval if the area is to be utilized as

c. Development within any SWIM/PCSO Buffers shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by Ordinance. Stream delineation reports are subject to review and approval by Charlotte Storm Water Services.

14260528v3

e. The extension of Old Hebron Road extending along its approved alignment from Nations Ford Road through the site and stubbing into the remaining CPCC property is designated as a future Collector on the adopted Charlotte Streets Map. The required distance from the centerline to the future back of curb is a minimum of seventeen and a half (17.5) feet per CLDSM U-07.B for a Local Collector Street.

f. The Petitioner shall provide a minimum eight (8) foot wide planting strip and six (6) foot wide sidewalk along the Site's Nations Ford Road and W. Hebron Street frontages as indicated on the adopted Charlotte Streets Map. A minimum right-of-way of forty-one (41) feet from the centerline of these streets will be dedicated. Additional right-of-way or a permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

g. The Petitioner shall provide a minimum eight (8) foot wide planting strip and an eight (8) foot wide sidewalk along the Old Hebron Road extension through the Site. A minimum right-of-way of thirty-three and a half (33.5) feet from the centerline of this street will be dedicated. Additional right-of-way or a permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

h. All transportation improvements shall be approved and constructed prior to the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes or agreed to during the land development approval process for the Site. The petitioner may request that CDOT allow a bond to be posted for any improvements not completed at the time the first certificate of occupancy is requested and released.

i. The Petitioner will dedicate and convey in fee simple all rights-of-way to the City prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed 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.

j. 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 CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

4. Buffers, Setbacks, Open Space, and Landscaping:

a. A twenty (20) foot frontage setback will be provided along all the new internal network required local and collector streets as measured from the future back of curb. A minimum twenty-four (24) setback is required along both Nations Ford Road and W. Hebron Street (2-3 Lane Avenue) as measured from the future back of curb.

b. Side and rear yards will be provided as required by Ordinance.

14260528v3

14260528v3

7. Lighting:

a. All freestanding exterior lighting installed on the Site shall comply with Article 16.2 of the Ordinance.

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 Article 37.3 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

6. General Design Guidelines:

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

6.

7.

8.

9.

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

a.