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**ASHEMORE** 

**TOWNHOMES** 

**REZONING** 

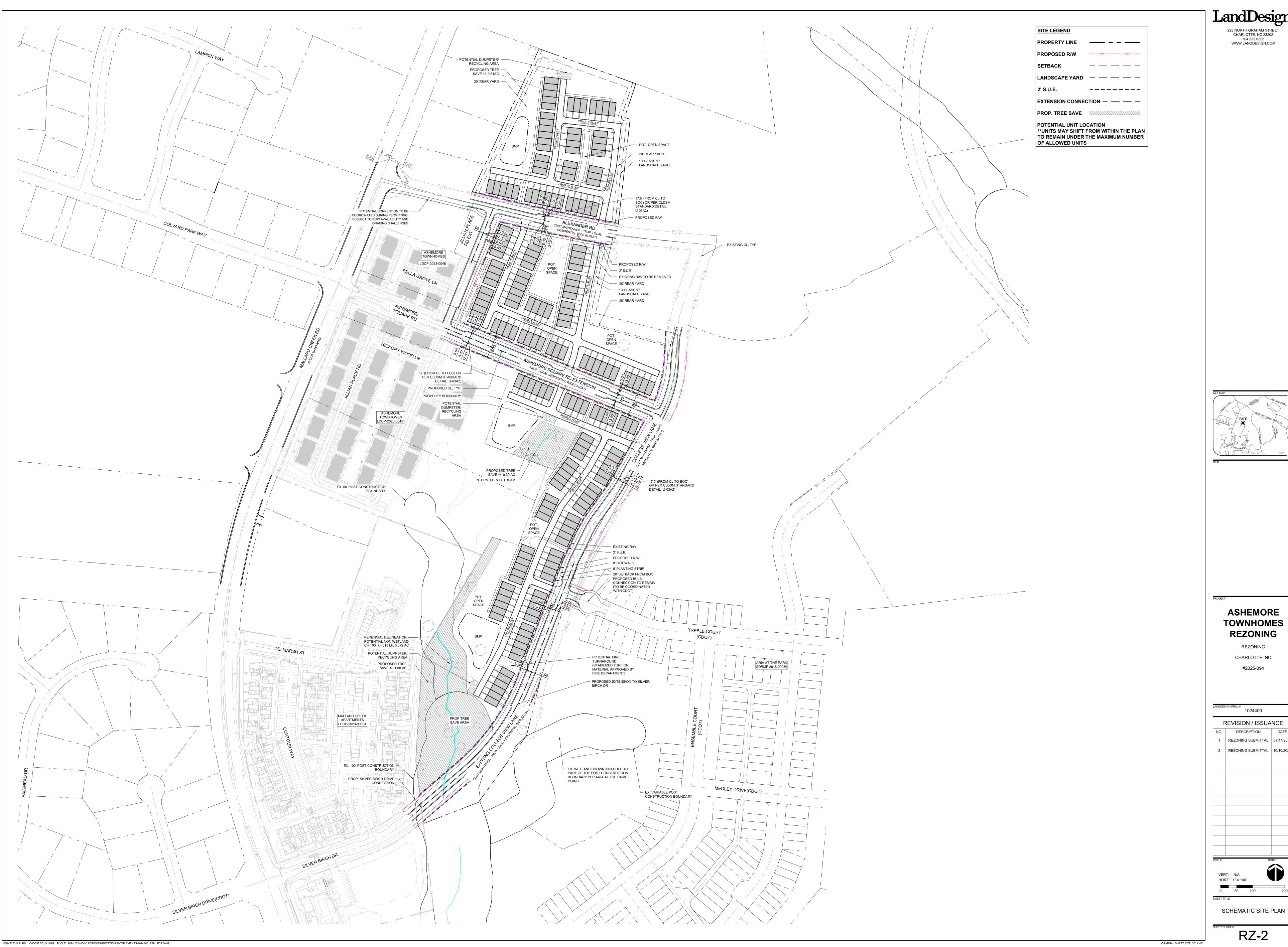
REZONING

CHARLOTTE, NC

#2025-094

REVISION / ISSUANCE

TECHNICAL DATA



NO. DESCRIPTION DATE

1 REZONING SUBMITTAL 07/14/2025 2 REZONING SUBMITTAL 10/10/2025

Atapco Properties - Ashemore Townhomes

Development Standards

10/10/25

Rezoning Petition 1025-094

Site Development Data:
--Acreage: ± 19.54 ac

**--Tax Parcel** #s: 047-168-13, 047-168-14, 047-168-15, 047-168-16, portion of 047-168-05, 047-152-43, 047-152-22, 047-152-36, 047-152-35, 047-152-34, 047-152-33, and 047-152-32

--Existing Zoning: N1-A --Proposed Zoning: N2-A(CD)

-- Existing Uses: Single family residential

--Proposed Uses: A multi-dwelling development with up to one hundred and ninety-five (195) 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 ATAPCO Properties to accommodate the development of a residential community on an approximately ±19.54-acre site located east of Mallard Creek Road along Alexander Road and College View Lane in northeast 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) the 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 ninety-five (195) 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.

a. Access to the Site will be from Alexander Road, the extension of College View Lane, the extension of Ashemore Square Road, the extension of Jillian Place Road, and a connection to Treble Court as generally depicted on the Rezoning Plan. The internal network required streets will be constructed with an eight (8) foot planting strip and an eight (8) foot sidewalk with future curb and gutter to be constructed per the local residential wide cross-section for properties within the Neighborhood 2 Place Type. Right-of-way for the network required public streets will be dedicated and conveyed per the CLDSM U-03 for local residential wide streets (i.e., 67'). The petitioner will coordinate with CDOT on the acquisition of additional right-of-way and roadway improvements for portions of the extension of College View Lane along the property line with abutting Aria at the Park residential community.

b. Transportation improvements will include connecting the proposed extension of College View Lane to Silver Birch Drive and connecting the proposed extension of College View Lane with Treble Court as depicted on the Rezoning Plan. The intersection created by connecting the proposed extension of College View Lane with Treble Court will be designed and constructed to meet CDOT alignment standards. The final design of the intersection will be reviewed and approved by CDOT during the land development review and approval process.

c. All transportation improvements, if any, shall be constructed and approved prior to the release of the first certificate of occupancy for the Site. 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.

d. The placement and configuration of the vehicular access point is subject to minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT and NCDOT in accordance with applicable published standards.

e. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by CDOT in accordance with applicable published standards.

f. The Petitioner will dedicate and covey 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.

g. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northeastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

h. The Petitioner reserves the right to make additional adjustments that may be necessary to accommodate changes throughout the land development review and construction process if approved by NCDOT/CDOT in order to create a better transition between abutting residential communities when extending existing street networks from one community to another.

i. 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

k. The CTR multimodal requirements may be satisfied through the construction / reconstruction of accessible ramps and/or a sidewalk extension from Alexander Road to Mallard Creek Road. If the sidewalk connection is feasible, the petitioner will coordinate with CDOT during the land development review process to design and construct a sidewalk along Alexander Road within the existing ROW to connect the proposed development with the Mallard Creek Road SUP Capital Improvement project.

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 streets as measured from the future back of curb.

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

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c. A minimum ten (10) foot wide Class C landscape yard will be provided along the external property boundaries abutting single-family, duplex, triplex, or quadraplex dwellings, or abutting vacant land zoned a Neighborhood 1 zoning district as generally depicted on the

#### Rezoning Plan.

**d.** Open space will be provided per the N2-A requirements found in Article 5.4. In areas where common open space is provided, such areas will be amenitized with usable outdoor hardscape features, such as courtyards, seating areas, and include various landscape features, such as grass, groundcover, trees, and shrubs. Common open space areas will contain seating options that include a minimum of one bench per 4,000 square feet of common open space, enhanced planting to include a minimum of 18 trees per one acre of common open space, and the common open space areas will have a minimum dimension of 15 feet or more measured in all directions. More detail is provided in note 4.g below for public open space.

**e.** All large waste container and recycling station spaces shall be located a minimum of twenty-five (25) feet from a Neighborhood 1 Place Type, Neighborhood 2 Place Type, or network required street.

f. Street trees will be provided internally along the alleys at 40 feet on center where planting strips are provided. In areas where no planting strips are feasible, there will be a minimum of one tree between buildings and in other locations where feasible.

g. Public open space shall be a dynamic and programmable open space centrally accessible to neighborhood residents that provide a layering of activities designed for multiple users. To accomplish this, the design of the open space shall consist of four (4) or more of the following potential components which will be committed to as the plans are finalized during the land development permitting process:

1. Enhanced plantings in excess of minimum planting standards required of the ordinance (this may be enhanced landscape yards, tree save, etc.). Enhanced plantings may also take the form of trees and/or planting beds (standard, raised and/or terraced with native species). Enhanced planting will include a minimum of 18 trees per one acre of common and public open space.

2. Specialty paving materials (not including standard finished concrete or asphalt). Primary or accent building materials may be used as specialty paver options. Alternate concrete finishing (etching, salt curing, board forming, etc.) is acceptable. Details and technical notes on the materials will be provided during the land development review process if chosen as one of the four (4) open space components.

3. Shading elements such as shade structures or additional trees planted in a manner to provide consistent shade in the space.

4. Seating options include moveable tables and chairs. Other seating elements to be considered include seating walls, swings or interactive furniture, and immovable benches. Seating requirements for publicly accessible open space shall be provided at 1 linear foot of seating per 300 square feet of public open space. Seating shall be a mixture of moveable and fixed. Details and technical notes on the seating options will be provided during the land development review process if chosen as one of the four (4) open space components.

5. Public open space will have a minimum dimension of 50 feet or more measured in all directions and common open space will have a minimum dimension of 20 feet or more measured in all directions.

Public art/sculpture. Public art, either in the form of murals, sculpture, or other mediumsalongside 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 provide users with the enjoyment of sensory stimulation. These elements should include but not be limited to music, water, and light and play. Details and technical notes on the elements will be provided during the land development review process if chosen as one of the four (4) open space components.
 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. If porches are provided, they shall be covered and be at least six (6) feet depth. If stoops are provided, they shall be at least four (4) feet deep and may 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

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 4:12 excluding buildings with a flat roof and

e. The attached dwellings shall incorporate one of the following into the design of the structure: (i) a variation in the façade depth of adjoining dwelling units of at least one foot (1'). Such variation shall extend the entire height of the façade; and (ii) architectural features, such as balconies, bay windows, or other elements along the façade of each dwelling unit, are subject to the standards of Article 18.

f. Meter banks, HVAC, and related mechanical equipment will be screened as required per the Ordinance. Ground-mounted or

g. 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

wall-mounted mechanical equipment shall not be located in the established setbacks along a frontage.

h. A minimum of 50% of the residential buildings within the multi-dwelling development will contain four (4) or less dwelling units. No residential building may contain more than six (6) dwelling units, and such buildings are limited to no more than more than 25% of the total number of residential buildings on the Site.

i. All residential buildings fronting a network required street will have rear loaded garages.
 j. 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.

**k.** 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. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. The Site will comply with the Tree provisions of the Ordinance found in Article 20. The final location of the required 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.

C. Development within any SWIM/PCSO Buffers shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm

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.

7. <u>Lighting:</u>a. All freestanding exterior lighting installed on the Site shall comply with Article 16.2 of the Ordinance.

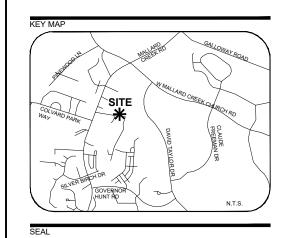
8. Amendments to the Rezoning Plan:

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.





# ASHEMORE TOWNHOMES REZONING

CHARLOTTE, NC

#2025-094

I PROJ.# 1024400

REVISION / ISSUANCE

NO. DESCRIPTION

1 REZONING SUBMITTAL 07/14/2025
2 REZONING SUBMITTAL 10/10/2025

VERT: N/A HORZ: N/A

DEVELOPMENT STANDARDS

7-3



2 REZONING SUBMITTAL 10/10/2025

SCHEMATIC MASTER PLAN



1 REZONING SUBMITTAL 07/14/2025