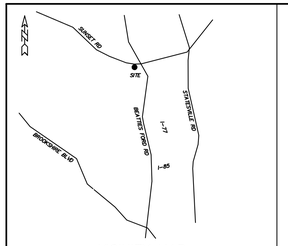
# REZONING PETITION: 2022-204




VICINITY MAP
NOT TO SCALE

**General Provisions:**
These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Jayjeet, LLC (the "Petitioner") to accommodate the development of a residential community on an approximate 5.198 acre site located at Sunset Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of tax parcel numbers 03929132 .

Development of the Site shall 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, the regulations established under the Ordinance for the "MUDD" Zoning District shall govern all development taking place on the Site. The configurations, placements and sizes of the buildings, parking areas, tree save area, common open space, private roads and ancillary site elements depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process. 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.

**Permitted Uses:**
**Residential**
1) Uses allowed within the rezoning area shall be limited to residential uses allowable within the MUDD zoning district. Allowable residential uses shall be limited on site as described within the following descriptions and as generally illustrated within the Site plan.
a) A maximum of Twenty Four(24) total attached single family residential units, as depicted on the Site plan.
b) Maximum height for townhomes is 40 feet with additional height allowance per Table 9.305(1)(i)(8) of the Zoning Ordinance.

**Non-Residential**
Non-residential building(s) shall not exceed 400' in length.
The following uses shall not be permitted within the Non-Residential building:
- Car washes
- Drive throughs
- Adult Establishments
- Dealerships
- Service Stations

**Transportation:**
1) The placement and configuration of the vehicular access points shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs.
2) Internal vehicular access to the site provided as generally depicted on the Site Plan. Internal alleys shall be constructed in accordance with CLDSM 11.19B and privately maintained.
3) Public sidewalk improvements along Sunset Road shall include an 8' planting strip and 12' multi-use path.
4) All transportation improvements within the public right of way shall be approved and constructed before the site's first building certificate of occupancy is issued.
5) The petitioner shall dedicate fee simple conveyance of all rights of way 35' from the centerline of Sunset Road to the City of Charlotte as depicted on the Site Plan prior to the Site's first building certificate of occupancy is issued.
6) Parking shall be provided on site per Section 9.507 of the City Charlotte Ordinance.
7) Petitioner shall install dedicated left turn lane into western entrance to the property through coordination with NCDOT.
8) Petitioner shall install dedicated right turn lane, with 100' of storage, into western entrance to the property through coordination with NCDOT.
9) Petitioner shall coordinate with CDOT on street and pedestrian lighting during permitting.

**Fence Wall Standards:**
1. Fence standards shall comply with proposed zoning. Chain Link fences are not allowed.

**Streetscape and Landscaping:**
1) The Petitioner shall provide an 8 ft planting strip and a 12 ft multi-use path on Sunset Rd as generally shown on the site plan.

**Environmental Features:**
1) Petitioner shall comply with the City of Charlotte Tree Ordinance.
2) The Petitioner shall comply with the City of Charlotte Post Construction Ordinance.
3) 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 in order to accommodate actual storm water treatment requirements and natural site discharge points.
4) For adjoining parcels receiving stormwater discharge from the proposed BMP/Water Quality feature, the petitioner shall analyze the adequacy of the existing stormwater conveyance on the adjoining parcels. If the existing stormwater conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the stormwater conveyance or mitigate the stormwater discharge onto the adjoining parcels.

(I) Storm Water Quality Treatment
For defined watersheds greater than 10% built-upon area (BUA), construct water quality stormwater control measures (SCMs) designed for the runoff generated from the first 1-inch of rainfall for all new and redeveloped BUA associated with the project. SCMs must be designed and constructed in accordance with the Charlotte-Mecklenburg BMP Design Manual.

(II) Volume and Peak Control
For defined watersheds greater than 10% built-upon area, control the entire volume for the 1-year, 24-hour storm for all new and redeveloped BUA associated with the project. Runoff volume drawdown time shall be in accordance with the Charlotte-Mecklenburg BMP Design Manual.

For commercial projects with greater than 10% BUA, control the peak to not exceed 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 storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For residential projects with greater than 10% BUA, control the peak to not exceed the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

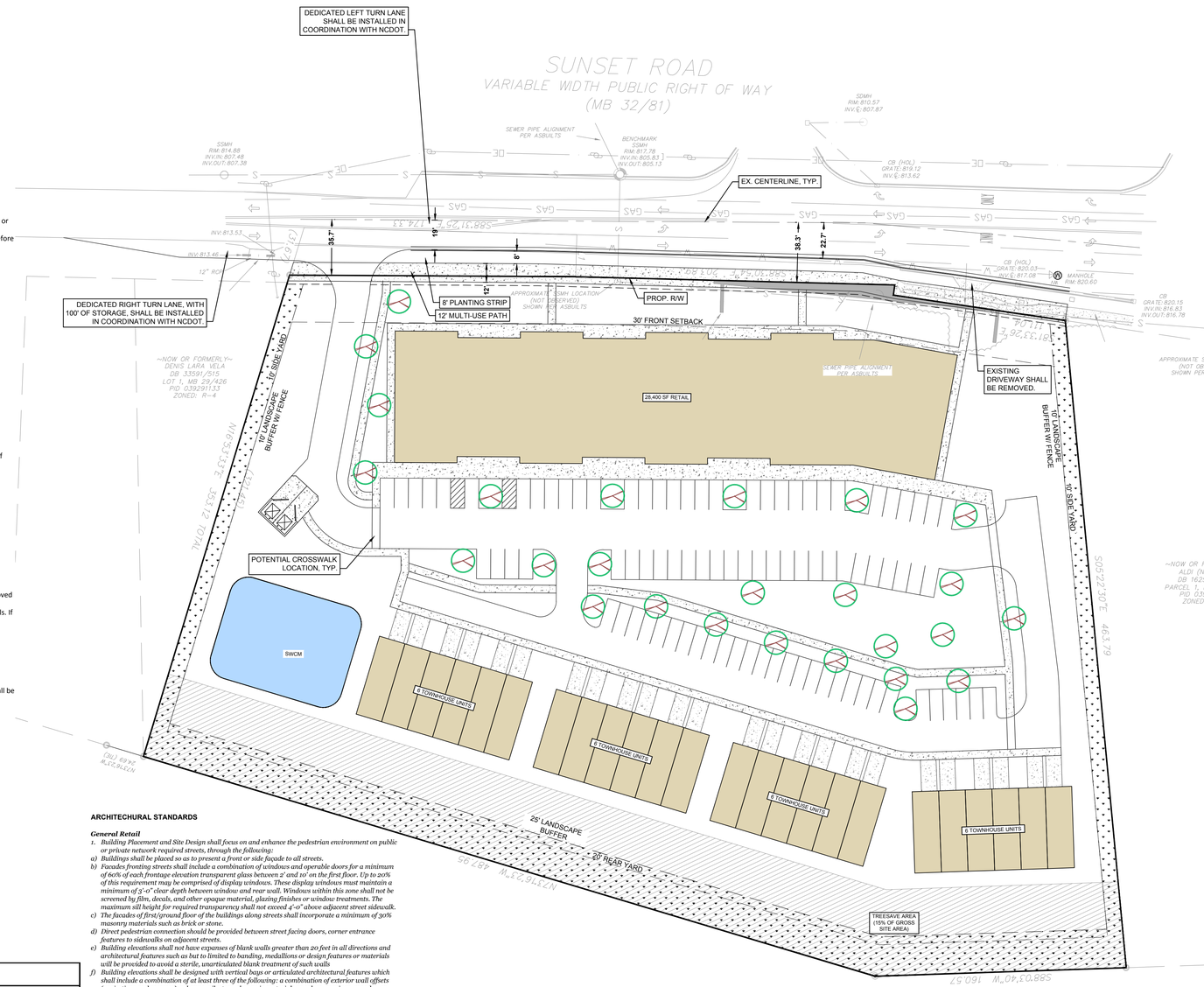
**Lighting:**
1) All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent lighting shall be permitted.

**Amendments to Rezoning Plan:**
1) Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance. Further alterations or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

**Binding Effect of the Rezoning Documents and Definitions:**
1) If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2) Throughout these Development Standards, the terms, "Petitioner" and "owner" "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest or assigns.

## SITE DEVELOPMENT TABLE:

| | | | |
|---|---|---|---|
| | | REQUIRED PARKING RESIDENTIAL: | 1 PER DWELLING UNIT (24 SPACES) |
| TAX MAP NUMBER: | 03929132 | | |
| | | REQUIRED PARKING RETAIL: | 1 PER 600 GROSS SF (48 SPACES) |
| CURRENT ZONING: | R-4 | | |
| PROPOSED ZONING: | MUDD(CD) | | |
| SITE AREA: | 5.198 AC | | |
| DEED INFORMATION: | DB 33476 PG 610 | SETBACKS AND YARDS: | |
| | | FRONT: | 30' |
| | | SIDE: | 10' |
| | | REAR: | 20' |
| | | GARAGE SEPARATION REQ. ALONG PRIVATE ALLEY: | BETWEEN 5'-7', OR 20' OR GREATER |
| | | MAX. NON-RESEDENTIAL BUILDING HEIGHT PROVIDED: | 35 FT. |
| MAXIMUM NON-RESIDENTIAL SF: | 28,400 SF | | |
| | | MINIMUM BUILDING SEPARATION: | 10 FT. |
| PROPOSED USE: | RETAIL & SINGLE FAMILY ATTACHED TOWNHOMES WITH LAND FOR SALE | | |
| PROPOSED UNITS: | 24 | | |
| DENSITY: | 4.6 UNITS/ACRE (22 DUA MAX ALLOWED) | | |
| TREE SAVE REQUIRED: | 15% | | |
| TREE SAVE PROVIDED: | 15% | UTILITIES: | ALL UTILITIES WILL BE UNDERGROUND AS REQUIRED BY CURRENT LAND DEVELOPMENT STANDARDS |
| POST CONSTRUCTION DISTRICT: | CENTRAL CATAWBA | | |
| FLOOD DATA: | ZONE 'X' PER COMMUNITY PANEL 371045-6500K, EFF. 2/9/2014 | | |




**ARCHITECHURAL STANDARDS**

***General Retail***
1. *Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:*
a) *Buildings shall be placed so as to present a front or side façade to all streets.*
b) *Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 5'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.*
c) *The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone.*
d) *Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.*
e) *Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls*
f) *Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.*
g) *Buildings should be a minimum height of 22'.*
h) *Multi-story buildings should have a minimum of 20% transparency on all upper stories.*

***Detached and Attached Single Family Guidelines***
1. *To provide privacy, all residential entrances within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24 inches.*
2. *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.*
3. *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. Usable front porches, when provided, should be covered and be at least 6 feet deep. Stoops and entry-level porches may be covered but should not be enclosed.*
4. *All corner/end units that face a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 10 feet on all building levels.*
5. *Garage doors proposed along public or private streets should minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.*
6. *Walkways should be provided to connect all residential entrances to sidewalks along public and private streets.*
7. *Townhouse and Attached Single Family buildings fronting public or private network required streets should be limited to 5 individual units or fewer. The number of individual units per building should be varied in adjacent buildings if multiple 5 unit buildings are adjacent.*
8. *No more than up to 5' of eave overhangs and 3' of stairs/steps encroachment is permitted into the rear or side yard.*
9. *No part of the building wall including support posts for any upper-level unenclosed uncovered decks or balconies is permitted to be closer than 5' to the back of the alley.*
10. *No exterior entry doors are allowed within 15 feet of the alley/private street.*
11. *No more than up to 5' of eave overhangs and 3' of stairs/steps encroachment is permitted into the rear or side yard.*
12. *No part of the building wall including support posts for any upper-level unenclosed uncovered decks or balconies is permitted to be closer than 5' to the back of the alley.*
13. *No exterior entry doors are allowed within 15 feet of the alley/private street.*
14. *The exterior building materials for all four sides will be primarily of brick, cementitious siding, precast concrete, and/or stone. EIFS, stucco, metal panel (excluding windows, doors, soffits, gables, roof, and architectural detail or trim). The use of vinyl/aluminum siding (excluding windows, doors, soffits, gables and trim), will not be permitted. Where pitched roofs occur, the roofs shall be architectural grade shingles.*
15. *Residential townhome buildings shall not exceed 160' in length. Modulation shall occur within every 60' of building frontage. Minimum of 10' in width and 2' in depth.*
16. *Townhomes shall have one of the following features: Corner Porch, Variation in façade of at least 2' within the unit façade, balconies, bay windows or significant architectural material change (not in the same plane).*

GRAPHIC SCALE
0 20' 40' 80'
( IN FEET )
HORIZONTAL 1 inch = 40 ft.

**ADDITIONAL NOTES**

1. 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 NORTH WESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

2. 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

3. REGARDING THE 12' MULTI-USE PATH, THE ENTIRE FACILITY MUST BE OUTSIDE OF THE RIGHT OF WAY AND WITHIN A PUBLIC ACCESS EASEMENT. THE PETITIONER COMMITS TO CONSTRUCTION AND MAINTENANCE OF THE 12-FOOT SIDEWALKS/MULTI-USE PATHS ON SUNSET ROAD.

NOTE:
UNIT SIZES SHOWN ARE APPROXIMATE. ACTUAL UNIT SIZES MAY VARY WITHIN BUILDING ENVELOPE.

© ALL RIGHTS ARE RESERVED. ANY POSSESSION, REPRODUCTION OR OTHER USE OF THIS DOCUMENT WITHOUT PRIOR PERMISSION, IS EXPRESSLY PROHIBITED.

GATEWAY DESIGN GROUP, PLLC
8516 FOXBRIDGE DR WEDDINGTON, NC 28104
910-840-2661
NC FIRM # P-2147

**PRELIMINARY**
NOT FOR CONSTRUCTION

SUNSET RD
Project Address: Sunset Rd, Charlotte, NC

| NO. | BY | DATE | REVISION |
|---|---|---|---|

PROJECT # 2023-012 DATE: 7/20/2023
DRAWN BY: JB CHECKED BY: JB

TITLE
REZONING PLAN

SHEET NO.
RZ-1

C:\Users\jpsha\Gateway Design Group Dropbox\Projects\2023\2023-012 - Sunset Rd\CADD\References\x-layout-sunset.dwg JOSHW