

**LERNER PROPERTY**  
CHARLOTTE, NC  
GUEST CAPITAL

REZONING  
PETITION:  
2019 - 124

**REZONING  
TECHNICAL  
DATA SHEET**

CORPORATE CERTIFICATIONS  
SC PE : C-2930 SC LA : C-253  
SC ENG : NO. 3599 SC LA : NO. 211

Project Manager: MDL

Drawn By: ENL

Checked By: MDL

Date: 8/8/19

Project Number: 18017

Sheet Number:

**RZ-1**

**Site Development Data:**

- Average: 5.86 acres
- Tax Parcel #: 161-05-113, a portion of 161-05-114, 161-05-104, and a portion of 161-05-103
- Existing Zoning: O-6(CD), R-17MF
- Proposed Zoning: UR-2(CD)
- Existing Uses: vacant
- Proposed Uses: Residential as permitted by right, and under prescribed conditions, together with accessory uses, all as allowed in the UR-2 zoning district
- Maximum Number of Residential Dwelling Units: Up to 75 attached and/or detached residential dwelling units as allowed by right and under prescribed conditions in the UR-2 zoning district
- Maximum Building Height: Not to exceed 50 feet subject to the provisions set forth in Section 5 below and as generally depicted in Sheet RZ-02. Height to be measured per the Ordinance.

**1. General Provisions:**

a. **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 Vest Capital, LLC, ("Petitioner") to accommodate the development of a high quality residential community on an approximately 5.86 acre site located on Monroe Road (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 Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UR-2(CD) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations:** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, building and parking envelopes, open space areas, and other development matters and site elements (collectively the "Development/Site Elements") set forth in the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and relationships of the Development/Site Elements set forth on the Rezoning Plan are graphic depictions of the Development/Site Elements proposed. Changes to the Development/Site Elements proposed by the Rezoning Plan will be reviewed as allowed by the UR-2(CD) of the Ordinance.

Since the project has not undergone the design development or construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or changes 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 such instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory:** The total number of principal buildings to be developed on the Site will be limited to twenty (20). 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 considered 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:**

a. The principal buildings constructed on the Site may be developed with up to 75 attached and/or detached residential dwellings units as permitted by right, and under prescribed conditions, together with accessory uses, all as allowed in the UR-2 zoning district.

**3. Access:**

a. Access to the Site will be from Monroe Road via the extension of a new public street as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The portion of the new public street to be constructed as part of the development of the Site will have a varied cross-section as generally depicted on the Rezoning Plan. The public street will be constructed to Residential Wide standards as defined in the City Land Development Standards.

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

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

e. Required roadway improvements, if any, will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site, subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

f. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks that are located along the public streets and 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. Adjacent to existing single family residential zoning shall be limited to a maximum building height of forty-two (42) feet as generally depicted on RZ-02.

h. The Petitioner shall not cause restricted hours of access at the Monroe Road access during peak hours per NC DOT and CDOT approval.

**4. Streetscape and Buffers:**

a. A sixteen (16) foot setback as measured from the proposed back of curb along the internal public street will be provided.

b. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along both sides of the new public street extending from Monroe Road as

generally depicted on the Rezoning Plan, provided, however, the streetscape may be reduced in size to accommodate on-street parking.

c. A five (5) foot side yard and ten (10) foot rear yard shall be provided as generally depicted on the Rezoning Plan.

d. A twenty (20) foot landscape buffer built to Class C standards will be provided adjacent to the single family lots along the northeastern property line as generally depicted on the Rezoning Plan.

e. Streetscape improvements shall be provided on Monroe Road in accordance with Chapter 19 and shall not include the portion of parcel 161-05-114 not subject to the provisions of these Developments Standards resulting from the recombination of the parcel.

**5. General Design Guidelines:**

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Aluminum as a building material may only be used on windows, soffits, and brackets/railings. The proposed roofing materials will be architectural asphalt shingles, and metal type roofing materials may also be used.

b. The ends of the buildings facing the internal private drives and/or internal private streets will not have blank walls that exceed 20 feet in length on all building levels. The ends will have multiple windows on the end facades to avoid blank walls.

c. Usable porches or stoops shall form an element each building design and be located on the front and/or side of the building. Stoops and entry level porches may be covered but shall be enclosed. The minimum depth of front stoops will be between four (4) and five (5) feet. The building/architectural treatment over the porches will vary to help emphasize the entries into each unit.

d. Building shall have recessed lighting as less as possible.

e. Meter banks will be screened from adjoining properties and from the proposed public street.

f. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

g. Adjacent to existing single family residential zoning shall be limited to a maximum building height of forty-two (42) feet as generally depicted on RZ-02.

**6. Environmental Features:**

a. The Site shall comply with the Charlotte City Council approved and adopted comply with the Post Construction Stormwater Ordinance.

b. The location, size, and type of storm water management system(s) depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are implicitly approved with this rezoning petition. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

c. The Site will comply with the Tree Ordinance.

d. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/periodic stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

e. For parcels receiving storm water discharge from the site, the Petitioner shall analyze the identity of the existing storm water conveyance on the parcels between the site and Shade Valley Road. If the existing storm water conveyance on the referenced parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.

**7. Lighting:**

a. All new attached and detached lighting shall be fully shielded downward directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

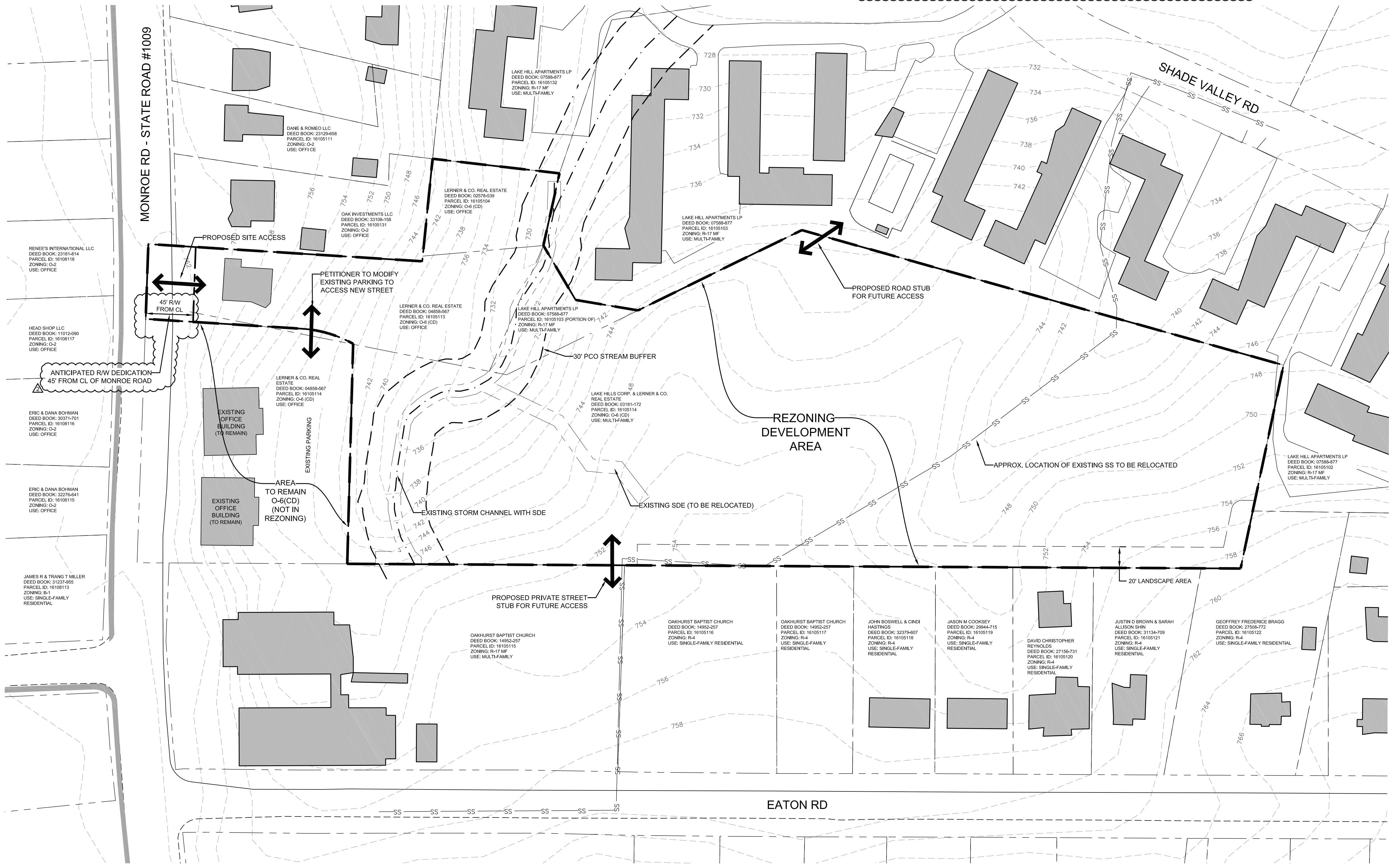
b. Detached lighting on the Site, except street lights located along public streets, will be limited to 22 feet in height.

**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 in accordance with the provisions herein and of Chapter 6 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 herein and under the Ordinance, be binding upon and 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.



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**REZONING  
SITE PLAN**

