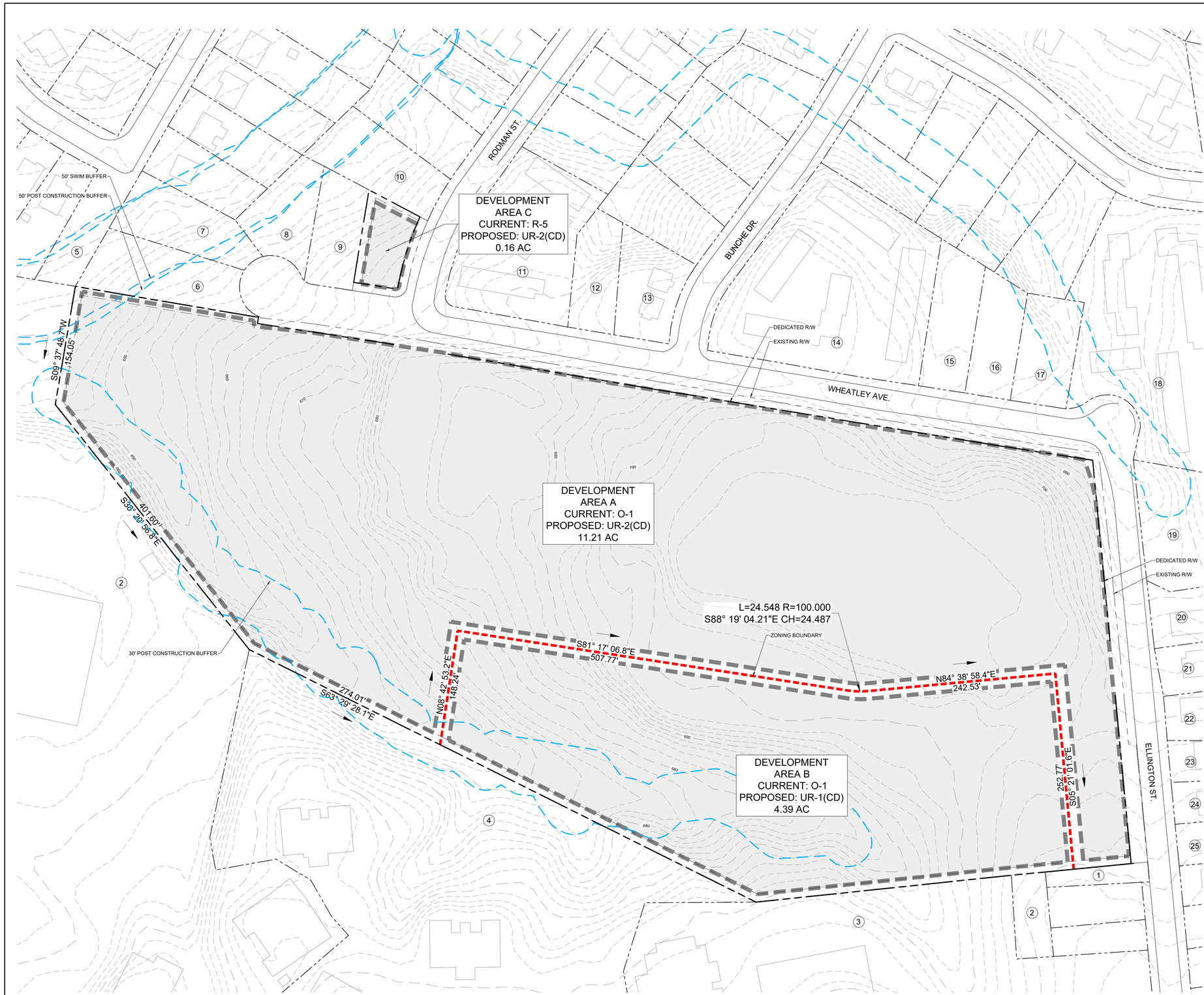

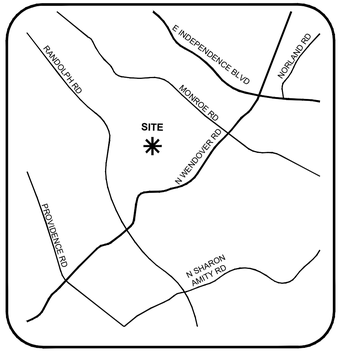

VICINITY MAP

NTS

SITE DEVELOPMENT DATA

ACREAGE: ± 15.76 ACRES

TAX PARCEL #S: PORTION OF 157-041-04 & 157-041-27; AND 157-041-26, 157-034-17

EXISTING ZONING: O-1, O-1(CD), AND R-5

PROPOSED ZONING: UR-2(CD) & UR-1(CD)

EXISTING USES: OFFICE BUILDING AND VACANT

PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AND GENERAL OR MEDICAL OFFICE USES, AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 AND UR-1 ZONING DISTRICTS (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO 160 MULTI-FAMILY RESIDENTIAL DWELLING UNITS; AN INDEPENDENT LIVING FACILITY WITH UP TO 80 AGE RESTRICTED INDEPENDENT LIVING UNITS; UP TO 38 ATTACHED DWELLING UNITS; UP TO 30 UNITS COMPOSED OF SINGLE-FAMILY DETACHED AND DUPLEX RESIDENTIAL DWELLING UNITS; AND ONE (1) DUPLEX AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE UR-2 AND UR-1 ZONING DISTRICTS. UP TO 2,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL OR MEDICAL OFFICE USES ARE ALLOWED AND MAY BE DEVELOPED AS ALLOWED IN THE UR-2 ZONING DISTRICT AND AS RESTRICTED BELOW.

MAXIMUM BUILDING HEIGHT: UP TO 69 FEET FOR MULTI-FAMILY BUILDINGS (AGE AND NON-AGE RESTRICTED MF BUILDINGS); UP TO 52 FEET FOR ONE-FAMILY ATTACHED UNITS; AND UP TO 42 FEET FOR THE DETACHED HOMES AND THE PROPOSED DUPLEX. HEIGHT TO BE MEASURED PER THE ORDINANCE.

PARKING: AS REQUIRED BY THE ORDINANCE. THE PETITIONER WILL INSTALL A MINIMUM OF FOUR (4) EV-READY PARKING SPACES WITHIN THE NON-AGE RESTRICTED MULTI-FAMILY RESIDENTIAL COMMUNITY. EV-READY SPACES ARE THOSE THAT HAVE PRE-INSTALLED ELECTRICAL PANEL CAPACITY WITH A DEDICATED CIRCUIT, RACEWAY WITH CONDUIT, AND EITHER A JUNCTION BOX OR 240V OUTLET.

1	157-041-27	MECKLENBURG COUNTY	19079-431	O-1(CD)
2	157-041-04	MECKLENBURG COUNTY	N/A	O-1
3	157-041-53	AUTH. CHARLOTTE-MECK. HOSPITAL	28476-21	O-1
4	157-041-52	MECKLENBURG COUNTY	28476-35	O-1
5	157-036-06	BRIGHT FUTURE FUNDING LLC	28216-387	R-5
6	157-034-14	LACEY BOARON	36700-754	R-5
7	157-034-13	LILIYA KOCHERGINA	36351-673	R-5
8	157-034-15	LILIYA KOCHERGINA	36351-673	R-5
9	157-034-16	LACEY BOARON	36700-754	R-5
10	157-034-18	METH EPISCOPAL ZION CH TR WEEPING WILLOW AFRICAN	04600-922	R-5
11	157-033-05	VANTAGE 78 PRESERVATION LP	25766-70	R-22MF
12	157-033-08	METH EPISCOPAL ZION CH TR WEEPING WILLOW AFRICAN	04600-922	R-22MF
13	157-033-09	ANDREI DENES	27403-404	R-22MF
14	157-031-03	VANTAGE 78 PRESERVATION LP	25766-70	R-22MF
15	157-031-09	RFPJY LLC	32139-693	R-5
16	157-031-10	LRFPJY LLC	32139-693	R-5
17	157-031-11	WOMEN WITH DEVINE DESTINY TRANSITIONAL CENTER	29575-929	R-5
18	157-031-12	VANTAGE 78 PRESERVATION LP	25766-70	R-22MF
19	157-041-54	LASHIKA TILLMAN	33620-681	R-5
20	157-041-35	KLUL SIU	25539-215	R-5
21	157-041-50	HABITAT FOR HUMANITY OF THE CHARLOTTE REGION INC	36679-824	R-5
22	157-041-51	OMAR YUSSUF	25125-686	R-5
23	157-041-24	MELVIN NICHOLS	18779-352	R-5
24	157-041-36	BERTHA SCOTT	13121-417	R-5
25	157-041-37	LORENA MCVAY	36339-68	R-5

LandDesign.
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KEY MAP

SEAL

PROJECT

BILLINGSLEY AFFORDABLE

CHARLOTTE, NC

REZONING

#2022-045

LANDDESIGN PROJ.#
1019255

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
0	INTIAL SUBMITTAL	03.04.22
1	PER STAFF COMMENTS	09.12.22
2	PER STAFF COMMENTS	10.20.22

DESIGNED BY: JYK
DRAWN BY: CKS
CHECKED BY: FJM

SCALE
VERT: N/A
HORZ: 1"=60'
0 30' 60' 120'

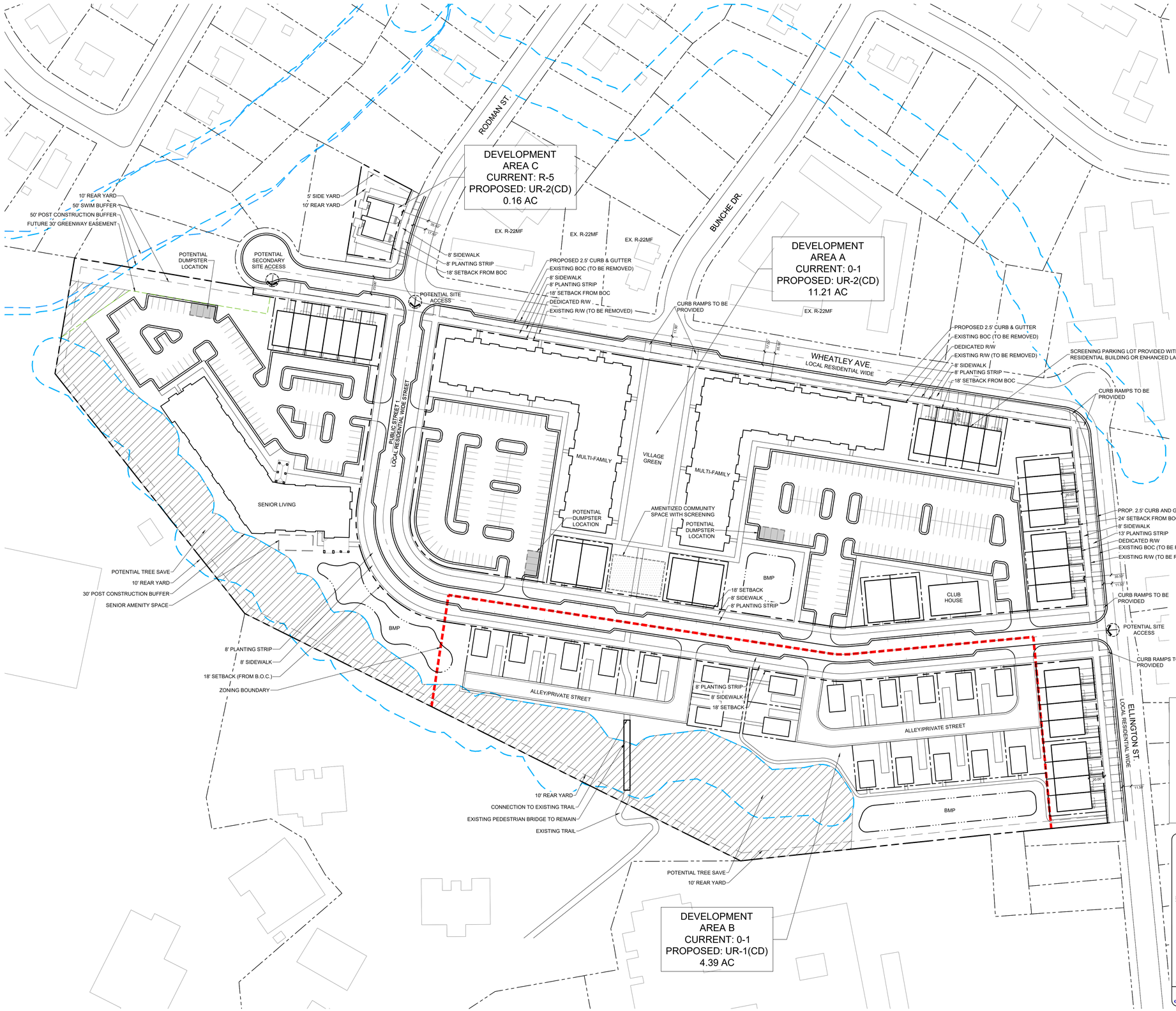
NORTH

SHEET TITLE

TECHNICAL DATA

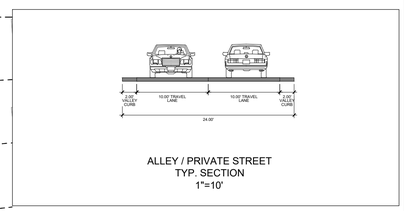
SHEET NUMBER

RZ-1

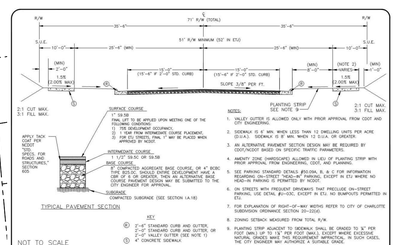


LEGEND

- REZONING AREA BOUNDARY
- ZONING BOUNDARY
- PROPOSED LANDSCAPE AREA
- POTENTIAL TREE SAVE (TO BE DETERMINED DURING FINAL DESIGN)
- POTENTIAL ACCESS/ POTENTIAL SECONDARY ACCESS



ALLEY / PRIVATE STREET
TYP. SECTION
1"=10'



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DRAWN BY: CKS
CHECKED BY: FJM

SCALE
VERT: N/A
HORZ: 1"=60'
0 30' 60' 120'

NORTH

SHEET TITLE
SCHEMATIC SITE PLAN

SHEET NUMBER
RZ-2

DreamKey Partners - Grier Heights
Development Standards
10/19/2022
Rezoning Petition No. 2022-045

Site Development Data:
--**Acreage:** ± 15.76 acres
--**Tax Parcel #s:** portion of 157-041-04 & 157-041-27; and 157-041-26, 157-034-17
--**Existing Zoning:** O-1, O-1(CD), and R-5
--**Proposed Zoning:** UR-2(CD) & UR-1(CD)
--**Existing Uses:** Office building and vacant
--**Proposed Uses:** Residential dwellings units and general or medical office uses, as permitted by right, and under prescribed conditions, together with accessory uses, as allowed in the UR-2 and UR-1 zoning districts (all as more specifically described and restricted below in Section 3)
--**Maximum Number of Residential Dwelling Units:** Up to 160 multi-family residential dwelling units; an independent living facility with up to 80 age restricted independent living units; up to 38 attached dwelling units; up to 30 units composed of single-family detached and duplex residential dwelling units; and one (1) duplex as allowed by right and under prescribed conditions in the UR-2 and UR-1 zoning districts. Up to 2,000 square feet of gross floor area of general or medical office uses are allowed and may be developed as allowed in the UR-2 zoning district and as restricted below.
--**Maximum Building Height:** Up to 69 feet for multi-family buildings (age and non-age restricted MF buildings); up to 52 feet for one-family attached units; and up to 42 feet for the detached homes and the proposed duplex. Height to be measured per the Ordinance.
--**Parking:** As required by the Ordinance. The Petitioner will install a minimum of four (4) EV-ready parking spaces within the non-age restricted multi-family residential community. EV-ready spaces are those that have pre-installed electrical panel capacity with a dedicated circuit, raceway with conduit, and either a junction box or 240V outlet.

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 DreamKey Partners ("Petitioner") to accommodate the development of a high-quality residential community on an approximately 15.76-acre site located on the southwest quadrant of the intersection of Ellington St. and Wheatley Ave. (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) & UR-1(CD) zoning classification 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, 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.

d. **Development Areas.** For ease of reference, the Rezoning Plan sets forth three (3) Development Areas as generally depicted on Sheet RZ-01 as Development Area A, Development Area B, and Development Area C (each a "Development Area" and collectively the "Development Areas").

e. **Existing Use and Structures:** The Petitioner and/or Property owner, after the approval of the conditional rezoning petition, may continue to use the existing uses and buildings located on the Site as legal non-conforming uses and structures as allowed by Chapter 7 of the Ordinance (Nonconformities), until such time as the Site is redeveloped as allowed by the approved conditional plan.

2. Permitted Uses, Development Area Limitations:

a. The principal buildings constructed on the Site may be developed as follows:

- All the residential units will be sold or rented to households with income levels up to 80% of AMI.

(i) within Development Area B up to 30 units composed of single-family detached residential dwellings units and duplex units as permitted by right, and under prescribed conditions together with accessory uses allowed in the UR-1(CD) zoning district;
(ii) within Development Area A up to 160 multi-family dwelling units, an independent living facility with up to 80 age restricted independent living units, and up to 38 attached dwellings units, subject to the conversion rights listed below;
(iii) within Development Area C one (1) duplex all as permitted by right, and under prescribed conditions together with accessory uses allowed in the UR-2(CD) zoning district; and
(iv) within Development Area A up to 2,000 square feet of gross floor area of general or medical office uses are allowed and may be developed.

b. The proposed detached single-family and duplex units proposed within Development Area B will be located on individual lots with each lot having frontage on either the internal public street (Street 1) or a private street/alley as allowed by Section 9.406.(8) of the Ordinance as generally depicted on Sheet RZ-1. The configuration and shape of the lots illustrated on sheet RZ-1 is conceptual in nature and may change from what is illustrated.

c. The proposed 2,000 square feet of general or medical office uses will be located within the same building as the proposed 80 age restricted independent living units.

d. The Petitioner reserves the right within Development Area A to exchange/convert allowed unit types between the different residential unit types allowed within the Development Area A if the total number of allowed dwelling units is not increased. *For example, five (5) multi-family units may be converted to attached dwelling units decreasing the allowed MF units to 155 and increasing the allowed attached dwelling units to 35.*

3. Access.

a. Access to Development Area A and B will be from Ellington St. and Wheatley Ave., access to Development Area C will be from Rodman Street and/or Wheatley Ave. as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The proposed townhomes along Ellington St. and Wheatley will be allowed to have individual driveways to access Ellington St. The proposed townhomes along the extension of Wheatly Drive will be rear loaded units (i.e., no individual driveways from Wheatley). The townhomes units on the interior of the Site will be provided with parking spaces in adjoining parking lots as well as on-street parking spaces.

c. A new internal public street ("Public Street 1") will be constructed through the Site connecting Ellington St. to Wheatley Ave. as generally depicted on the Rezoning Plan. This new public street will be constructed to the standards of a Local Residential Wide Street. Public Street 1 may be built in phases based on the development plans submitted for approval.

d. The internal private streets/alley serving the single-family detached homes and duplex units will be constructed per the cross-section illustrated on the Rezoning Plans.

e. The Site's frontage on Ellington St., and Wheatley Ave. will be improved with, an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan. Development Area C's frontage on Rodman St. and Wheatley Ave. will be improved as required by Chapter 19 and/or the subdivision regulations.

f. The Petitioner will construct the extension of Wheatley Ave. beyond Rodman Street as required by the subdivision regulations and/or Chapter 19 of the City Code.

g. The Petitioner will dedicate and convey to the City of Charlotte a minimum of 35.5 feet of right-of-way as measure from the existing center line of Wheatley Ave. and Ellington St. prior the issuance of the first certificate of occupancy.

h. Accessible curb ramps per PROWAG and ADA requirements will be provided along Wheatley Ave. and Ellington St.

i. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

j. Any required roadway improvement 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 ability request that CDOT allow a bond to be posted for any improvements not in place at the time of the issuance of the first certificate of occupancy. Public Street 1 may be approved, built and constructed in phases based on the development areas submitted for approval.

k. The Petitioner will dedicate via fee simple conveyance any required right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, 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 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.

4. Streetscape, Buffer, Landscaping Open Space and Screening:

a. Along Development Areas A and B frontage on Ellington St., and Wheatley Ave. a 18-foot setback as measured from the future back of curb will be provided. The future back of curb along Wheatley Ave. and Ellington St. will be located a minimum of 17.5 feet from the existing center line (to accommodate a residential wide street section). Along Development Area C's frontage on Rodman and Wheatley Ave. a setback as required by the UR-2 zoning district will be provided.

b. Setbacks from the proposed back of curb as required by the UR-1 and UR-2 zoning district will be provided along Public Street 1 and the internal private streets serving the single-family detached dwelling units and duplex units.

c. Open space/common open space areas located within Development Area A will contain no less 10,000 square feet of improved open space. The open space areas will be improved with landscaping, sidewalks, lighting, and seating areas. Structures are also allowed within the improved open space areas including a club house with onsite leasing and property management offices.

d. The proposed senior building will have a minimum of 1,000 square feet of improved open space area as generally depicted on the Rezoning Plan. The open space area will be improved with seating areas, landscaping, lighting, and hardscape elements.

e. The proposed attached dwelling units will have 400 feet of private open space per unit or 10% of the site (area developed with attached dwelling units) shall be provided a Useable Open Space.

f. The proposed single-family homes and duplex units may also have some improved common open space areas.

g. The Petitioner will connect the internal sidewalk system to the existing trail located along the southern property line as generally depicted on the rezoning plan.

5. General Architectural Standards and Parking Location Restrictions:

a. The principal buildings constructed on the Site (Development Areas A, B and C) may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as Hardie-Plank), EIFS or wood. Vinyl as a primary building material will not be allowed except on windows, balcony railings, on trim elements, and soffits. All principal and accessory buildings abutting a network required public street shall comprise a minimum of 15% of that building's entire façade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

b. Residential buildings within Development Area A other than attached dwelling units shall adhere to the following standards (multi-family design standards):

Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:

i. Buildings shall be placed to present a front or enhanced side façade to a network or public street.
ii. The principal entrance to the buildings, except the age restricted independent living bldg., both functionally and architecturally, shall front on a network or public street or an open space such as a square, plaza, or courtyard.
iii. Facades fronting network streets shall include a combination of windows, operable doors and/or breezeways. This standard will not apply to the portions of the buildings abutting parking areas.
iv. Direct pedestrian connection must be provided between street facing breezeways to sidewalks on adjacent public streets, or an open space such as a square, plaza or courtyard (the connections may have gates or other access controls).
v. 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.
vi. 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, or other architectural elements.

c. Attached residential units within Development Area A and the Duplex constructed within Development Area C shall adhere to the following standards:
i. Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 20' on all building levels, including but not limited to doors, windows, awnings, material or color changes, and/or architectural design elements.
ii. The front elevation of each dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 20 feet on each level of the dwelling unit.
iii. Townhouse buildings fronting public or private network required streets shall be limited to six (6) individual units or fewer.
iv. Usable porches and/or stoops shall form a predominant feature of the building design and be located on the front and/or side of the building when possible. Usable front porches, when provided, shall be covered and be at least 5 feet deep. Stoops and entry-level porches may be covered but should 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 public streets and parking areas will be located behind the sidewalk. Units with frontage only on the internal parking areas are not required to provide a porch or a stoop.

d. Detached residential dwelling units within Development Area B shall adhere to the following standards:

i. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director.
ii. Usable porches and/or stoops shall form a predominant feature of the building design and be located on the front and/or side of the building when possible. Usable front porches, when provided, shall be covered and be at least 5 feet deep. Stoops and entry-level porches may be covered but should 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 streets and parking areas will be located behind the sidewalk.
iii. Residential building entrances shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
iv. To provide a level of comfort and security for residents on the first floor of residential buildings, the first floor shall be visually and physically separated from the sidewalk. Examples include increasing the setback, installing additional landscaping, raising, or lowering the first floor or other methods.
v. 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.
vi. Buildings will either be placed to present a front to Public Street 1 or the proposed private streets/alley or common open space area.
vii. A walkway will be provided to connect all residential entrances to the sidewalks along the public streets.

6. Environmental Features:

a. 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.

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

c. The Site will comply with the City of Charlotte Tree Ordinance.

7. Trail Easement for Future Trail Connection to Randolph Rd. and Grier Heights Park.

a. The Petitioner will provide a 30-foot easement to Mecklenburg County for the construction of a pedestrian bike trail that will connect the sidewalk on Wheatley Ave. to the western property boundary as generally depicted on the Rezoning Plan. This easement will be dedicated and conveyed to Mecklenburg County prior to the issuance of the first CO for the age restricted community located within Development Area A.

7. Lighting:

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

b. The Petitioner will provide pedestrian scale lighting along the Site's frontage on new and existing public streets. This standard will not apply to Development Area C.

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 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 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.

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KEY MAP

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DEVELOPMENT STANDARDS

SHEET NUMBER
RZ-3