

- ACREAGE: ± 25.46 ACRES
- TAX PARCEL #S: 199-061-18; 199-061-20; 199-061-20; 199-061-09
- EXISTING ZONING: R-3
- PROPOSED ZONING: MX-2 (NNOV) AND NS
- EXISTING USES: RESIDENTIAL
- PROPOSED USES: RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED DEVELOPMENT CONDITIONS WITH ACCESSORY USES AS ALLOWED IN THE MX-2 ZONING DISTRICT IN DEVELOPMENT AREA A; RETAIL AND OFFICE USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT IN DEVELOPMENT AREA B, BOTH AS DESCRIBED IN MORE DETAIL IN SECTION 2.2.2. BELOW.
- MAXIMUM GROSS SQUARE FEET/ UNITS OF DEVELOPMENT: A MAXIMUM OF 160 DETACHED AND ATTACHED FOR-RENT DWELLING UNITS AS ALLOWED BY THE MX-2 ZONING DISTRICT TO THE NORTH OF THE MAP SHOWN BELOW, AND A MAXIMUM OF 7,700 SQUARE FEET OF RETAIL AND/OR OFFICE USES AS ALLOWED BY THE NS ZONING DISTRICT.
- MAXIMUM BUILDING HEIGHT: PERMITTED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE.
- SETBACKS: SHALL BE AS REQUIRED BY THE ORDINANCE OR DESCRIBED IN THE DEVELOPMENT STANDARDS AND GENERALLY DEPICTED ON THE REZONING PLAN.

A. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MILL CREEK RESIDENTIAL, (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 25.46 ACRE SITE LOCATED ON STEELE CREEK 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 MODIFIES THE STANDARDS UNDER THE INNOVATIVE PROVISIONS OR MORE STRINGENT STANDARDS AS PART OF THE CONDITIONAL SITE PLAN, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 AND NS ZONING CLASSIFICATIONS SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE PROVISIONS PROVIDED BELOW.

D. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREAS (AS DEFINED BELOW), OPEN SPACE AREAS AND OTHER DEVELOPMENT ELEMENTS AND THE DEVELOPMENT OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED FOR 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 DEVELOPMENT/SITE ELEMENTS PROPOSED ON THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.2.07 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. EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS); OR

II. MINOR AND DO NOT 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.

A. DEVELOPMENT OF THE SITE SHALL BE PERMITTED AS FOLLOWS:

I. DEVELOPMENT AREA A: A MAXIMUM OF 160 ATTACHED AND/OR DETACHED DWELLING UNITS AS ALLOWED BY THE MX-2 ZONING DISTRICT AND THE INNOVATIVE PROVISIONS OF THE ORDINANCE ARE ALLOWED ON THE SITE. THE UNITS WILL BE OF THE FOLLOWING TYPES:

II. DEVELOPMENT AREA B: A MAXIMUM OF 7,700 SQUARE FEET OF RETAIL AND/OR OFFICES AS ALLOWED BY THE NS ZONING DISTRICT. THE FOLLOWING USES ARE PROHIBITED:

ACCESSORY DRIVE-THROUGHS,
AUTOMOBILE SERVICE STATIONS,
EQUIPMENT RENTAL AND LEASING, WITHIN AN ENCLOSED BUILDING,
FUNERAL HOMES AND EMBALMING,
TATTOO ESTABLISHMENT.

B. WORKFORCE HOUSING: THE PETITIONER SHALL VOLUNTARILY PROVIDE A WORKFORCE HOUSING PROGRAM TO ENSURE THAT SOME RESIDENTIAL UNITS ARE REASONABLY PRICED FOR PERSONS EARNING LESS THAN THE AREA MEDIAN INCOME (AMI). THE PETITIONER SHALL ENSURE THAT NO FEWER THAN 16 OF THE UNITS LOCATED ON THE SITE (EQUAL TO 10% OF THE TOTAL NUMBER OF UNITS ALLOWED ON THE SITE), FOR A PERIOD OF NOT LESS THAN 7 YEARS, MAINTAIN MONTHLY RENTS THAT ARE INCOME RESTRICTED FOR HOUSEHOLDS EARNING 80% OR LESS AS DEFINED BY THE AMI.

AS PART OF THE APPROVAL OF THIS PETITION, THE PETITIONER SEEKS THE FOLLOWING INNOVATIVE PROVISIONS:

- II. THE SECTION OF THESE ROADS WILL BE TWO 10' LANES, 2'6" CURB AND GUTTER. TOTAL BACK OF CURB TO BACK OF CURB - 25'
- III. NO MINIMUM LOT SIZE
- IV. NO MINIMUM LOT WIDTH
- V. A MINIMUM BUILDING SEPARATION OF SEVEN (7) FEET MUST BE MAINTAINED
- B. PUBLIC STREET FRONTAGE

I. NOT REQUIRED FOR INDIVIDUAL UNITS. FRONTAGE WILL BE REVIEWED AS ONE UNIFIED DEVELOPMENT (TO ADDRESS THE ISSUE THAT EVERY LOT MUST ABUT A STREET)

III. ALL UNITS WILL COMPLY WITH THE 400' RULE (ALL UNITS WITHIN 400' OF A PUBLIC OR PRIVATE STREET)

MEASURED FROM BACK OF CURB

2. PUBLIC STREET B AND PRIVATE STREET C TO HAVE A SETBACK OF FOURTEEN (14) FEET FROM BACK OF CURB (EIGHT (8) FOOT PLANTING STRIP, SIX (6) FOOT SIDEWALK)

3. ALL YARDS AND SETBACKS WILL BE PROVIDED FOR THE OVERALL PARCEL AND NOT APPLIED TO INDIVIDUAL UNITS. IN THIS CASE:

STEEL CREEK ROAD - THIRTY (30) FOOT SETBACK

NO OTHER SETBACKS WILL BE PROVIDED

A MINIMUM FIVE (5) FOOT SIDE YARD SHALL BE PROVIDED

A MINIMUM TEN (10) FOOT REAR YARD SHALL BE PROVIDED

1. CDOT AND NCDOT STANDARDS. 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 SOUTHWESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

2. **RIGHT-OF-WAY CONVEYANCE.** IF APPLICABLE, BUT ONLY TO THE EXTENT APPLICABLE, 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. 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 UTILITY EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS/UTILITY EASEMENT PATHS LOCATED ADJACENT TO THE PUBLIC STREET LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK UTILITY EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

A MINIMUM OF FIFTY (50) FEET OF RIGHT-OF-WAY WILL BE DEDICATED AND CONVEYED TO CDOT/NCDOT IN ACCORDANCE WITH THE CROSS SECTION ASSOCIATED WITH STIP U-5766 ALONG THE SITE'S FRONTAGE FROM THE CENTERLINE OF STEELE CREEK RD.

B. TRANSPORTATION IMPROVEMENTS. THE PETITIONER WILL CONSTRUCT REQUIRED ROADWAY IMPROVEMENTS LISTED BELOW AND PROVIDE ANY REQUIRED SIDEWALK AND UTILITY EASEMENTS NEEDED FOR THESE IMPROVEMENTS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY WITHIN EACH DEVELOPMENT AREA WHERE THE IMPROVEMENTS ARE PROVIDED, SUBJECT TO THE PETITIONER'S ABILITY TO REQUEST THAT CDOT OR NCDOT ALLOW A BOND TO BE POST FOR ANY ROADWAY IMPROVEMENTS NOT FINALIZED AT THE TIME OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS ALLOWED BY CITY REGULATIONS.

A. ACCESS TO THE SITE WILL BE FROM STEELE CREEK ROAD AND FROM THE PROPOSED PUBLIC STREETS AS GENERALLY DEPICTED ON SHEET R22.

B. THE NUMBER AND LOCATION OF ACCESS POINTS TO THE INTERNAL PUBLIC/PRIVATE STREET AND DRIVES WILL BE DETERMINED DURING THE BUILDING PERMIT PROCESS AND THEREAFTER. ADDITIONAL OR FEWER DRIVEWAYS AND/OR ADDITIONAL STREETS MAY BE INSTALLED OR REMOVED WITH APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS.

C. 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 PUBLISHED STANDARDS.

A. THE COMMERCIAL NONRESIDENTIAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS (OTHER THAN STRUCTURED PARKING FACILITIES, IF ANY) WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDY-PLANK), EIFS OR WOOD. VINYL AS A PRIMARY BUILDING MATERIAL WILL NOT BE ALLOWED EXCEPT ON WINDOWS, BALCONY RAILINGS, ON TRIM ELEMENTS, AND SOFFITS.

1. 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 15 FEET ON EACH LEVEL OF THE DWELLING UNIT.

III. UNITS WITH GARAGES WILL NOT BE ALLOWED TO HAVE INDIVIDUAL DRIVEWAYS FROM NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE). UNITS WITH GARAGES MAY HAVE ACCESS AND FRONT ON AN ALLEY OR NON-NETWORK PUBLIC OR PRIVATE STREET.

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, SHOULD BE COVERED AND BE AT LEAST 15 FEET WIDE AND ENCLOSED. SIDE 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. UNITS WITH FRONTAGE ONLY ON THE INTERNAL PARKING AREAS OR PRIVATE ALLEYS ARE NOT REQUIRED TO PROVIDE A PORCH OR A STOOP."

D. SETBACK AND YARDS AS REQUIRED BY THE STANDARDS OF THE MX-2 ZONING DISTRICT IN DEVELOPMENT AREA A AND THE NS ZONING DISTRICT IN DEVELOPMENT AREA B, UNLESS MODIFIED BY THE INNOVATIVE PROVISIONS WILL BE PROVIDED.

E.A TWELVE (12) FOOT SHARED USE PATH ALONG THE SITE'S FRONTAGE OF STEELE CREEK ROAD SHALL BE PROVIDED.

F. ALONG THE SITE'S INTERNAL PUBLIC STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS ALL OF THE PRINCIPAL BUILDINGS ON THE SITE

WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ADJUTING PUBLIC OR PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE A MINIMUM OF SIX (6) FEET.

A. 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 FROM AN ENGINEERING PERSPECTIVE 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 REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE CITY POST CONSTRUCTION STORMWATER ORDINANCE FOR EACH RESPECTIVE ZONING DISTRICT.

C. PCO REQUIRED OPEN SPACE MAY BE COMBINED INTO OVERALL REZONING BOUNDARY IN EVENT THE PROJECT IS PHASED OR PERMITTED SEPARATELY FOR EACH RESPECTIVE ZONING DISTRICT.

D. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATE 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.

E. A MINIMUM OF 0.5 ACRES OF OPEN SPACE SHALL BE PROVIDED AS SMALL PARKS THROUGHOUT THE COMMUNITY. THESE AREAS SHALL BE MAINTAINED AS OPEN LAWNS AND MAY BE IMPROVED WITH SEATING AREAS AND/OR LANDSCAPING.

A. A MINIMUM OF 10% OF THE SITE WILL BE SET ASIDE AS COMMON OPEN SPACE AS REQUIRED BY THE MX-2 ZONING DISTRICT. AREAS OF THE REQUIRED COMMON OPEN SPACE WILL BE IMPROVED WITH ACTIVE OR PASSIVE OPEN SPACE AMENITIES. SUCH AMENITIES MAY INCLUDE BENCHES, SEAT WALLS, PLAY EQUIPMENT, TRAILS, IMPROVED LANDSCAPING, GRILLING AREAS AND/OR OTHER FEATURES TO ENCOURAGE GATHERING OR USE OF OUTDOOR AREAS.

A. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

A. ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, AND DOWNWARDLY DIRECTED.

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.

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 AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

PROPOSED RIGHT TURN LANE WITH 100' OF STORAGE (THIS SECTION SHOWS CURRENT STEELE CREEK ROAD CONDITIONS)

PROPOSED LEFT TURN LANE WITH 150' OF STORAGE (THIS SECTION SHOWS CURRENT STEELE CREEK ROAD CONDITIONS)

AREA - B
NON-RESIDENTIAL
PROPOSED ZONING: NS

PRIVATE STREET C
(COMMERCIAL WIDE)

STEELE CREEK RD.
STIP U-5706



A circular seal with a double-lined border. The outer ring contains the text "NORTH CAROLINA" at the top and "DESIGN RESOURCE GROUP, P.A." at the bottom, separated by two stars. The inner circle contains the text "CORPORATE SEAL", "C-95", "C-2165", and "NCBELS" in the center.

REZONING DOCUMENTS

SCHEMATIC SITE PLAN

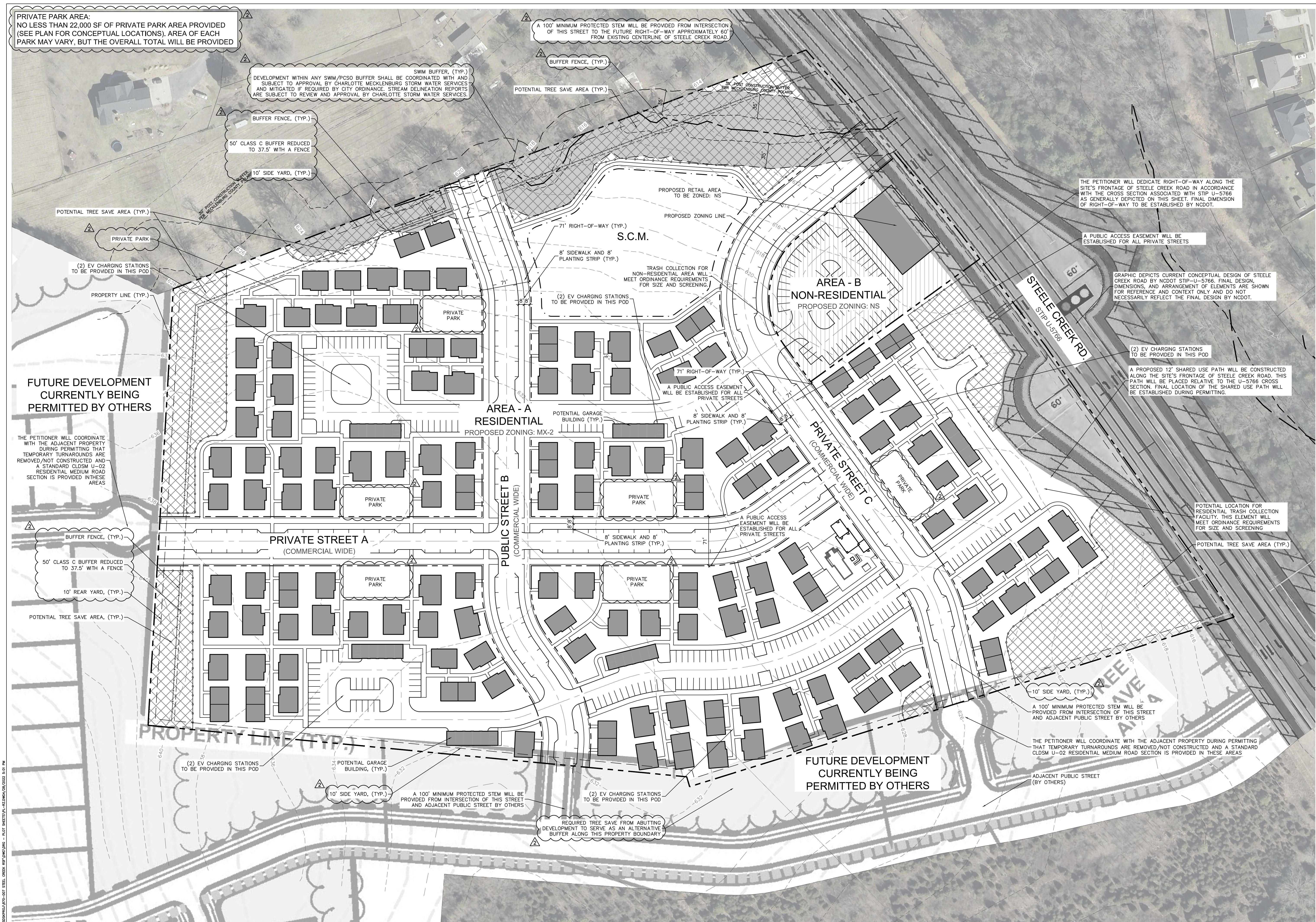
PROJECT #: 870-007
DRAWN BY: DK
CHECKED BY: TH

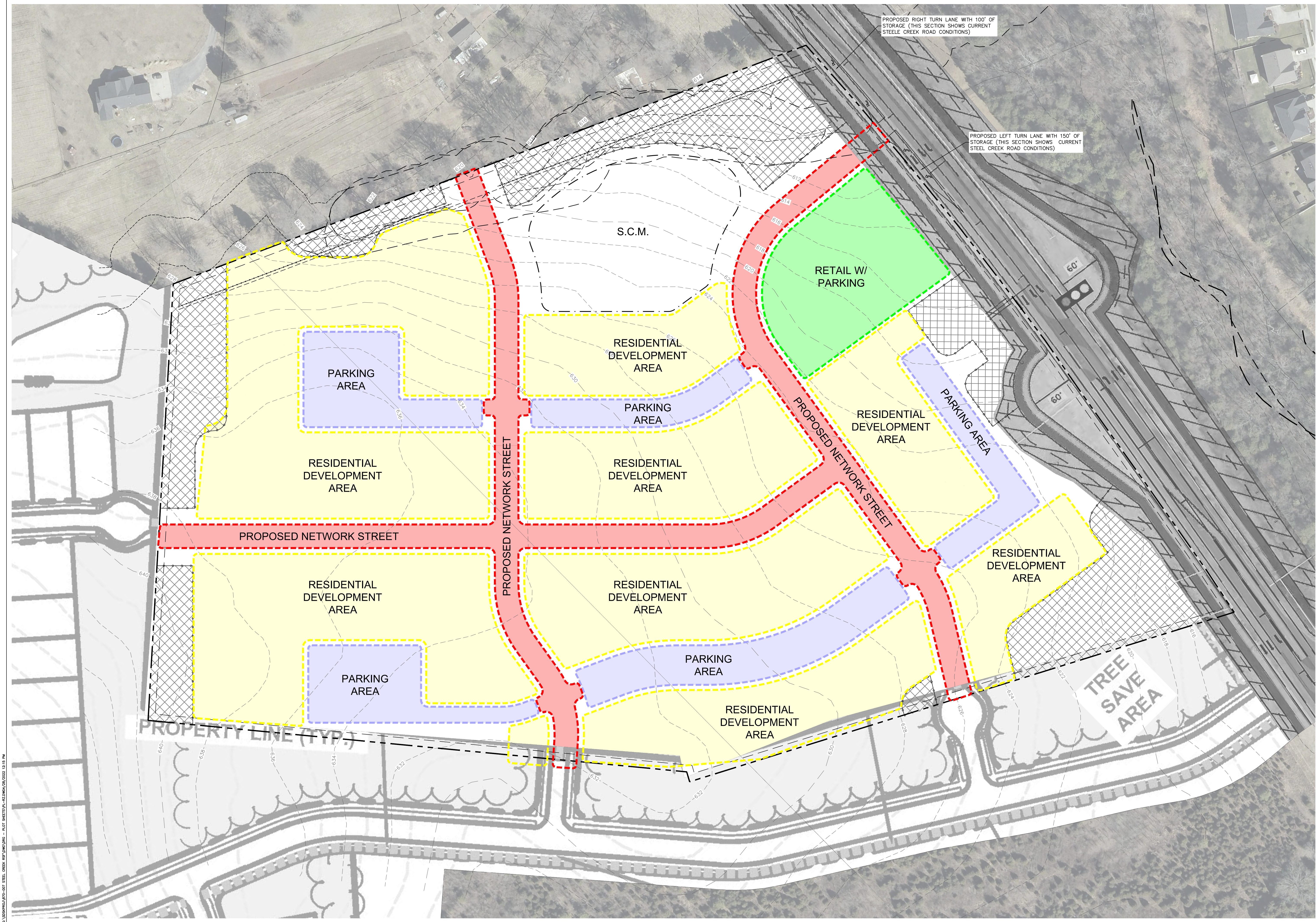
REVISIONS:

1. PER STAFF COMMENTS 04.11.22

2. PER STAFF COMMENTS 04.28.22

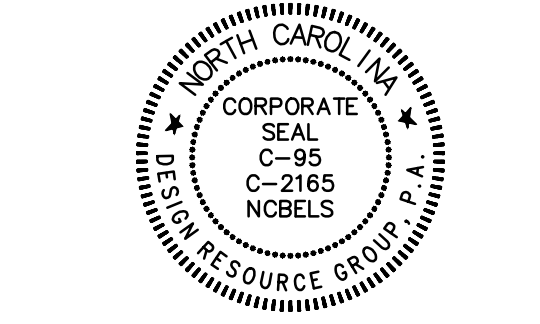
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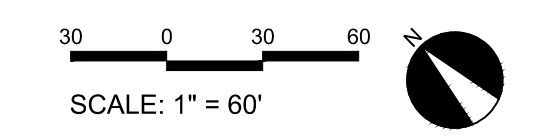


REZONING PETITION
FOR PUBLIC HEARING
2021-249

REZONING DOCUMENTS

STEELE CREEK
CHARLOTTE, NORTH CAROLINA
MILL CREEK RESIDENTIAL
101 W. WORTHINGTON AVE., SUITE 210
CHARLOTTE, NC 28203
704.833.8415

**SCHEMATIC
SITE PLAN**



PROJECT #: 870-007
DRAWN BY: DK
CHECKED BY: TH

APRIL 28, 2022

REVISIONS:
A PER STAFF COMMENTS 04.11.22
B PER STAFF COMMENTS 04.28.22

RZ2.01

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