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**W 28TH & N GRAHAM
MULTI-FAMILY
REZONING PETITION # 2021-275
W 28TH STREET & N GRAHAM STREET
CHARLOTTE, NORTH CAROLINA 28206**

REVISIONS

NO.	DATE	
1	06.13.2022	PER CITY/CDOT COMMENTS
2	07.11.2022	PER CITY/CDOT COMMENTS
3	08.15.2022	PER CITY/CDOT COMMENTS
4	09.12.2022	PER CITY/CDOT COMMENTS
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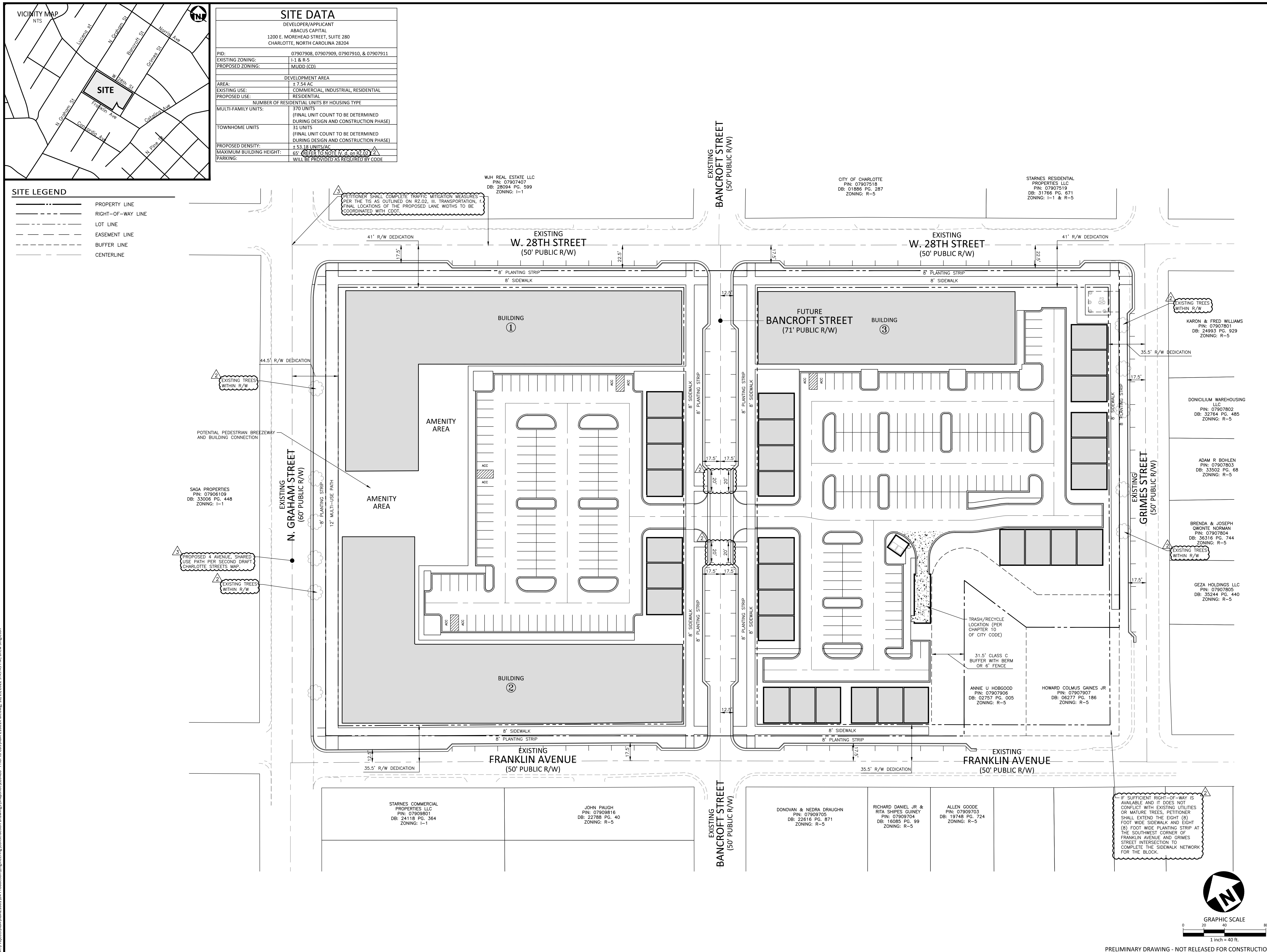
PLAN INFORMATION

PROJECT NO.	ABA-21001
FILENAME	ABA-21001X
CHECKED BY	EM
DRAWN BY	JDS
SCALE	1"=40'
DATE	12. 09. 2021

SHEET

REZONING PLAN

RZ.01



I:\Projects\ABA\21001\04-Production\Engineering\Construction Drawings\5-naphen\220428 - Prior to CD\ABA-21001-X-shi-dwg_10/19/2021 1:02:55 PM Draw: Singleton

DEVELOPMENT STANDARDS
Petitioner: Abacus Acquisitions, LLC
Rezoning Petition No. 2021-275
10/13/2022

Site Development Data:

- Acreage: ± 7.54 acres
--Tax Parcels: 079-079-08, 079-079-09, 079-079-10, and 079-079-11
--Existing Zoning: I-1 & R-5
--Proposed Zoning: MUDD(CD)
--Existing Uses: Commercial, Industrial, Residential
--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited herein
--Maximum Development:
Up to 370 stacked multi-family residential units; and
31 townhome-style multi-family residential units
--Maximum Building Height: Maximum of sixty-five (65) feet for multi-family buildings and forty (40) feet for single-family attached (townhome) buildings, as further restricted below.
As required by the Ordinance for the MUDD zoning district.
--Parking:

I. General Provisions:

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by Abacus Acquisitions, LLC (“Petitioner”) to accommodate development of a mixed residential community on an approximately 7.54-acre site located at the southeast intersection of North Graham Street and West 28th Street, more particularly described as Mecklenburg County Tax Parcel Numbers 079-079-08, 079-079-09, 079-079-10, and 079-079-11 (the “Site”).
- b. **Intent.** This Rezoning is intended to accommodate development on the Site of a mixture of residential uses as permitted under the MUDD zoning district.
- c. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Mecklenburg County Zoning Ordinance (the “Ordinance”).
Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.
- d. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and treated as the Site as a whole and not individual portions or lots located therein.

II. Permitted Uses & Maximum Development

- The principal buildings constructed may be developed with up to: 370 stacked multi-family attached residential units and (i) thirty-one (31) townhome-style multi-family units, along with any incidental and accessory uses allowed in the MUDD zoning district.

III. Transportation

- a. Vehicular access will be as generally depicted on the Rezoning Plan. Temporary construction access may be provided in addition to the vehicular access points as shown. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- b. The Petitioner shall construct a minimum twelve (12) foot wide multi-use path and eight (8) foot wide planting strip along the Site's frontage of Graham Street and a minimum eight (8) foot wide sidewalk and eight (8) foot wide planting strip along all public street frontages as well as along both sides of the proposed future public street internal to the Site, as generally depicted on the Rezoning Plan.
- c. If sufficient right-of-way is available and it does not conflict with existing utilities or mature trees, Petitioner shall extend the eight (8) foot wide sidewalk and eight (8) foot wide planting strip at the southwest corner of the Franklin Avenue and Grimes Street intersection to complete the sidewalk network for the block.
- d. Petitioner shall construct the extension of Bancroft Street to local residential wide street standards as generally depicted on the Rezoning Plan.
- e. Petitioner shall dedicate a minimum forty-four and a half (44.5) feet of right-of-way from the road centerline of Graham Street.
- f. Petitioner shall complete the following traffic mitigation measures per the TIS:
1. Install a left turn lane on the westbound approach of West 28th Street at North Graham Street with 150 feet of storage;
2. Modify the traffic signal at North Graham Street and West 28th Street to accommodate the new left turn lane; and
3. Install observation camera at North Graham Street and West 28th Street.
4. Upgrade the crossings and ramps at all deficient ramps of the North Graham Street and West 28th Street intersection to ADA/PROWAG standard ramps.
5. Add APS push buttons at the intersection of North Graham Street and West 28th Street.
- a. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two (2) feet from the back of sidewalk where feasible.
- b. Unless otherwise stated herein, all transportation improvements shall be substantially completed prior to the issuance of the first building certificate of occupancy for the Site
- c. 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 Mecklenburg area, as well as a private/public partnership effort or other public sector project support.

IV. Design Guidelines:

- a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of any of the following: glass, brick, metal, stone, simulated stone, pre-cast stone, architectural precast concrete, synthetic stone, stucco/E.I.F.S., cementitious siding (such as hardi-plank), or wood/composite wood. Vinyl, as a building material, will only be allowed on windows, soffits and trim features. Concrete masonry units not architecturally finished shall not be permitted.
- b. Meter banks shall be located outside of the setback and screened from view from all public rights-of-way and abutting properties.
- c. Service Area Screening: All dumpster enclosure areas, refuse areas, recycling and storage shall be screened from network required public or private streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Such design shall include a minimum 20% Preferred Exterior Building Materials or Class B buffer 10' in depth or more at all above grade perimeter not paved for access.
- d. **Building Height:** As measured per the Ordinance, Building 3 (as labeled on the Rezoning Plan) shall be a maximum of fifty-five (55) feet. All other multi-family buildings (Buildings 1-2) shall be a maximum of sixty-five (65) feet.

Single-family attached (townhome-style) buildings shall be a maximum of forty (40) feet.

e. Design Standards Related to Stacked Multi-Family Residential Uses:

- Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public street shall comprise a minimum of 30% of that building's entire façade facing such public street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- Prohibited Exterior Building Materials: (a) vinyl siding (but not vinyl hand rails, windows or door trim) and (b) concrete masonry units not architecturally finished.
- Building Placement and Site Design: shall focus on and enhance the pedestrian environment through the following:
 - Buildings shall be placed so as to present a front or side façade to all public streets.
 - Buildings shall front a minimum of 60% of the total public street frontage on the site (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
 - Parking lots shall not be located between any building and network required public street.
 - Driveways intended to serve single units shall be prohibited on public streets.
- Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - Building sides greater than 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of ten (10) feet wide and shall project or recess a minimum of six (6) feet extending through at least a full floor.

5. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

- Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
 - Buildings shall be designed with a recognizable architectural base on facades facing public streets. Such base may be executed through the use of Preferred Exterior Building Materials or articulated architectural façade features and/or color changes.
 - Building elevations facing public streets shall not have blank wall expanses greater than twenty (20) feet in all directions and architectural feature such as but not limited to banding, medallions or design features or materials provided to avoid a sterile, unarticulated blank treatment of such walls.
 - For the Graham Street frontage, ground floor transparency (measured 3' to 10' from finished grade) shall be a minimum of 60% and upper floor transparency (% wall area of story) shall be a minimum of 25%.
6. Roof Form and Articulation: roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
- For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.
 - Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest public street.
 - Direct pedestrian connections will be provided on all buildings for all frontages. The spacing of entrances shall not exceed 150 feet.

f. Additional Design Standards for Townhome-Style Units:

- Townhome units shall front the public/private streets. No garages or individual driveways of townhome units shall be directly accessed via public streets.
- Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
- Usable porches or stoops shall form a predominant feature of the building design for units fronting public streets and shall be located on the front and/or side of the building. Stoops may be covered but shall not be enclosed.
- Attached dwelling units shall be limited to a maximum of five (5) units per building or fewer. Multiple five-unit buildings, if provided, shall not occur directly adjacent to each other.
- Corner/end units fronting public streets shall have enhanced side elevations with a front or rear stoop and/or porch or otherwise provide windows or other architectural details to limit the maximum blank wall expanse to ten (10) feet on each level of the unit. If a porch is utilized, it may be located on the second story of such unit.
- For all units, Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to twenty (20) feet on all building levels, including but not limited to doors, windows, awnings, material or color changes, and/or architectural design elements.

V. Landscaping, Open Space and Amenity Areas.

- a. Petitioner shall provide open spaces throughout the Site per Ordinance standards. At a minimum, the Petitioner shall provide an amenity area, as generally depicted on the Rezoning Plan, which may include amenities, such as but not limited to, a combination of hardscape and softscape, seating, landscaping, art, fountains, pool, cabana, garden, clubhouse, mail kiosk, dog park, and/or other similar amenities.
- b. Petitioner shall provide a minimum 31.5-foot wide Class C buffer area with a berm or 6-foot tall fence adjacent to the R-5 zoned properties, as generally depicted on the Rezoning Plan.

VI. Environmental Features:

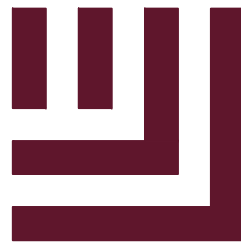
- a. The Petitioner shall comply with the Post Construction Controls Ordinance. The location, size, and type of storm water management systems that may be depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- b. The Petitioner shall comply with the Tree Ordinance.

VII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

VIII. Binding Effect of the Rezoning Application:

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 Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



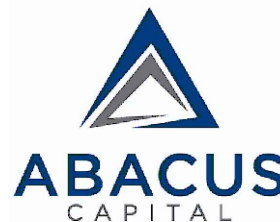
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SCALE	
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SHEET

REZONING NOTES

RZ.02



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REZONING NOTES

RZ.03

