DRAWING INDEX

ORIGINAL DATE REVISION DATE **GENERAL** TO.01 COVER SHEET 01/31/2023 09/21/2023 01/31/2023 01/31/2023 09/21/2023 09/21/2023

SHEETS BY OTHERS

REZONING NOTES

ALTA/NSPS LAND TITLE SURVEY PREPARED ON DEC. 2, 2022 FOR COSTELLO REI BY CLONINGER SURVEYING & MAPPING, PLLC

D

SITE INFORMATION

SITE LOCATION

04521308 PARCEL NUMBERS: CHARLOTTE ETJ AREA

ZONING INFORMATION **EXISTING ZONING:** 

R-3N/A **OVERLAY DISTRICT:** PRINCIPAL USES: RESIDENTIAL

# **BUILDING INFORMATION:**

SCOPE OF WORK: CONSTRUCTION OF TOWNHOME DEVELOPMENT

FIRE ALARMS:

PARCEL ID: 04521308 & 04521223

REQUESTED ZONING: R-8 (CD) SITE AREA: 26.22 AĆ. DENUDED LIMITS: 17.6± AC.

## **CODE REFERENCES**

AMERICANS WITH DISABILITIES ACT - ACCESSIBILITY GUIDELINES, 2010 (ADAAG) MECKLENBURG COUNTY EROSION AND SEDIMENT CONTROL MANUAL NCDEQ EROSION AND SEDIMENT CONTROL MANUAL - 2013 CHARLOTTE WATER DESIGN MANUAL CITY OF CHARLOTTE ZONING ORDINANCE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

# ALLEN ROAD DEVELOPMENT

REZONING PLAN 5120 ALLEN ROAD E CHARLOTTE, NORTH CAROLINA

ZONING: R-3 ACREAGE: 0.601 AC USE: RESIDENTIAL

04521222
CARY JR DEES & EVA TATE-DEES
DB 33342 PG 34
ZONING: R-3
ACREAGE: 0.480 AC
USE: RESIDENTIAL

04521223
LAWRENCE A CURTIS III
DB 30616 PG 356
ZONING: R-3
ACREAGE: 0.820 AC
USE: RESIDENTIAL

**VICINITY MAP** 

**LOCATION MAP** SCALE: NTS

## CONTACTS

OWNER: BRIAN FOUSHEE ALYSSA FOUSHEE 5120 ALLEN ROAD EAST CHALROTTE, NC 28269 PH. (704)578-0083 BRIAN@MÓDELABREWING.COM LANDSCAPE ARCHITECT: DEWBERRY ENGINEERS INC. TRISTAN M. MCMANNIS, PLA 9300 HARRIS CORNERS PARKWAY SUITE 220 CHARLOTTE, NC 28269 PH. (704) 264-1233 FAX (704) 509-9937 TMCMANNIS@DEWBERRY.COM

SUBMITTAL		SET NUMBER
■ PRELIMINARY □ APPROVAL	☐ CONSTRUCTION☐ REVISION	
□ BIDDING	□ RECORD	



Dewberry Engineers Inc. 9300 Harris Corners Pkwy - Suite 220 Charlotte, NC 28269 Phone: 704.509.9918 Fax: 704.509.9937

ALLEN ROAD DEVLOPMENT

REZONING PLAN 5120 ALLEN ROAD E CHARLOTTE, NC 28269

SCALE: 1" = 250'

O4521235
MAURICE C MOODY
DB 20526 PG 681
ZONING: R-3
ACREAGE: 0.310 AC
USE: RESIDENTIAL

04521236

JAMES A PIAZZA JR

DB 30942 PG 20

ZONING: R-3

ACREAGE: 0.330 AC

USE: RESIDENTIAL

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

SCALE:

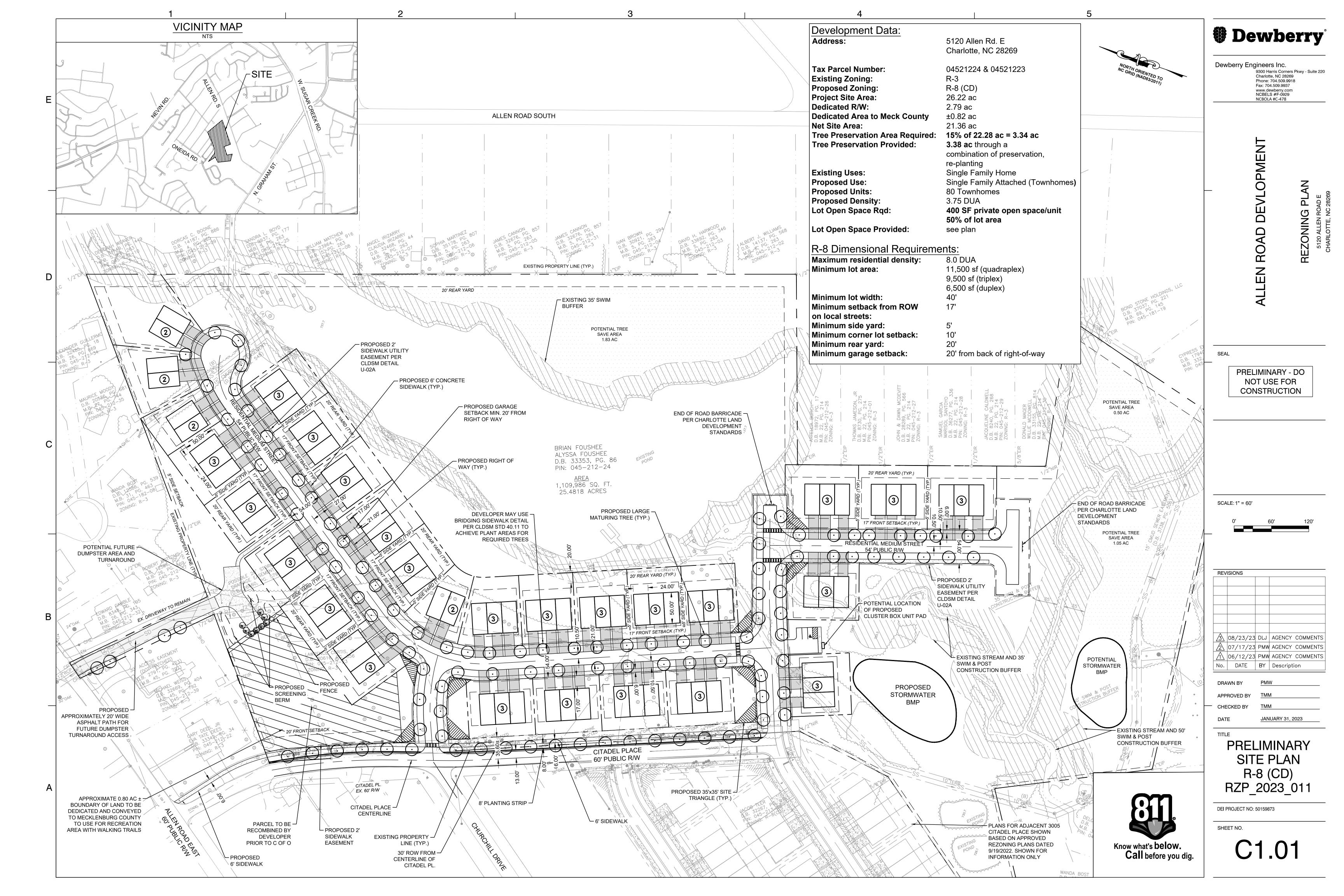
REVISIONS No. | DATE | BY | Description

APPROVED BY **CHECKED BY** JANUARY 31, 2023 DATE

**COVER SHEET** 

DEI PROJECT NO: 50159873

SHEET NO.



2. THE PROPOSED USES AND IMPROVEMENTS ON THE SUBJECT PROPERTY LINE INCLUDE PROPOSED TOWNHOUSE DEVELOPMENT INCLUDING INTERNAL ROADS, PARKING, COMMON OPEN SPACE, STORMWATER DETENTION BASIN, AND ALL OTHER ACCESSORY USES PERMITTED BY THE ORDINANCE.

AND RULES IN PLACE AT TIME OF APPLICATION; 01/31/2023.

SITE IS COMPRISED OF TAX PARCEL NO. 045-212-24. THIS PLAN IS GOVERNED BY THE ORDINANCE

- 3. SUBJECT TO TERMS AND REQUIREMENTS OF THE ORDINANCE AND THE TERMS AND CONDITIONS OF THE DEVELOPMENT STANDARDS AND THE REZONING PLAN, PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES AND PARKING AREAS MAY BE LOCATED ANYWHERE ON THIS SITE. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES AND PARKING AREAS THAT MAY BE LOCATED ON THE SITE.
- 4. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THIS REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") IN EFFECT ON THE DATE OF THE APPLICATION.
- 5. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-8 (CD) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- 6. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF THE USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS, INCLUDING ROADS, DETENTION POND AND OTHER INFRASTRUCTURE, DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND BUFFER REQUIREMENTS SET FOR ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- 7. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO THE SECTION 6.207 OF THE ORDINANCE. DEVELOPER TO AMEND WITHOUT JOINDER OF ALL OWNERS.

#### B. PERMITTED USES/DEVELOPMENT LIMITATIONS

1. THE REZONING SITE MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 80 DWELLING UNITS AND TO ANY INCIDENTAL OR ACCESSORY USES RELATING THERETO THAT ARE PERMITTED IN THE R-8 ZONING DISTRICT. THE NUMBER OF UNITS WILL VARY, DEPENDING ON THE FINAL MIX OF UNIT TYPES/SIZES. HOWEVER IN NO CASE SHALL THE TOTAL NUMBER EXCEED 80

- 2. ALL UNITS WILL BE STREET LOADED, ACCESSED FROM THE FRONT OF THE UNIT.
- 3. TRASH PICK UP WILL BE PROVIDED BY ROLL OUT CARTS.
- 4. IF A DUMPSTER IS PROVIDED MANEUVERING FOR TRASH PICK UP WILL NOT OCCUR IN THE REQUIRED SETBACK.
- 5. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE DIMENSIONAL STANDARDS OF THE R-8 ZONING DISTRICT SET OUT IN THE ORDINANCE.

## C. ROADWAY IMPROVEMENTS

- 1. AN 8' STREET YARD (MIN.) AND 6' SIDEWALK SHALL BE CONSTRUCTED ALONG CITADEL PLACE.
- $\stackrel{f 2}{=}\,$  2. A 30' RIGHT OF WAY SHALL BE DEDICATED ALONG CITADEL PLACE FROM THE CENTERLINE OF THE
- ${f/2}ackslash$  3. AN 8' STREET YARD (MIN.) AND 6' SIDEWALK SHALL BE CONSTRUCTED ALONG ALL INTERNAL STREETS.
- 4. ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO COMPLY WITH CDOT AND NCDOT REQUIREMENTS.
- 5. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHTS-OF-WAY TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED AS NEEDED. CDOT RIGHTS-OF-WAY IS SET AT 2-FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE.
- 6. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED AS NEEDED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS AND PHASING ARE EXPLICITLY DESCRIBED IN SITE PLAN NOTES.
- 7. 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."

## D. TRANSPORTATION

- VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CITY OF CHARLOTTE AND/OR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- THE PETITIONER WILL CONSTRUCT A 6 FOOT SIDEWALK ON CITADEL PLACE ACROSS THE SITE FRONTAGE. INFRASTRUCTURE MAY BE BONDED IN ACCORDANCE WITH ORDINACE PROVISIONS.

## E. SETBACKS, SIDE YARDS AND REAR YARDS

- 1. ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR R-8 ZONING DISTRICT. ALL YARDS WILL BE PROVIDED BASED ON THE R-8 ZONING DISTRICT.
- A 5' SIDE YARD AS MEASURED FROM THE WEST PROPERTY LINE AND EAST PROPERTY LINE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN AND REQUIRED UNDER THE ORDINANCE FOR R-8 ZONING DISTRICT. ALL YARDS WILL BE PROVIDED BASED ON THE R-8 ZONING DISTRICT.
- 3. A 17' FRONT SETBACK AS MEASURED FROM THE NORTH PROPERTY LINE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN AND REQUIRED UNDER THE ORDINANCE FOR R-8 (CD) ZONING DISTRICT.
- 4. NO STORM WATER DETENTION FACILITIES MAY BE LOCATED WITHIN ANY SETBACK OR BUFFER

## F. SCREENING AND LANDSCAPING AREAS

AREAS.

- 1. SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN SECTION 12.303 OF THE ORDINANCE.
- 2. OPEN SPACE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- 3. THE DEVELOPER WILL PROVIDE ENHANCED SCREENING AROUND THE BMP UTILIZING APPROVED PLANTINGS.

#### G. ARCHITECTURAL STANDARDS

- 1. THE MAXIMUM HEIGHT OF ANY ONE-FAMILY ATTACHED DWELLING UNIT CONSTRUCTED ON THE SITE SHALL BE 40 FEET. THE HEIGHT IS PER THE ZONING ORDINANCE STANDARD FOR R-8 (CD).
- 2. ALL CORNER/END UNITS THAT FACE A PUBLIC OR PRIVATE STREET SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET.
- 3. GARAGE DOORS VISIBLE FROM PUBLIC OR PRIVATE STREETS SHALL MINIMIZE THEIR VISUAL IMPACT BY PROVIDING ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS OR SHED ROOFS.
- 4. INDIVIDUAL UNITS SHALL BE CLEARLY IDENTIFIED THROUGH ARCHITECTURAL TREATMENTS SUCH AS BUILDING MATERIAL VARIATION, COLOR VARIATION, VERTICAL BANDING, INDIVIDUAL ROOF LINES OR USABLE PORCHES WHEN PROVIDED. VINYL MAY BE USED AS A SECONDARY BUILDING MATERIAL BUT CANNOT BE THE PRIMARY BUILDING MATERIAL.
- 5. TOWNHOUSE AND ATTACHED SINGLE FAMILY BUILDING FRONTING PUBLIC OR PRIVATE NETWORK REQUIRED STREETS SHOULD BE LIMITS TO 4 INDIVIDUAL UNITS OR FEWER.
- 6. 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.

#### H. LIGHTING

- 1. OUTDOOR LIGHTING FIXTURES INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE OUTDOOR ILLUMINATION PROVISIONS OF THE ORDINANCE.
- 2. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE WILL BE UNIFORM IN DESIGN.
- 3. ALL FREESTANDING LIGHT FIXTURES INSTALLED ON THE SITE SHALL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND WITHOUT THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS ADJACENT PROPERTIES.

#### I. SIGNS

1. ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

### J. ENVIRONMENT/STORM WATER MANAGEMENT

- 1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
- 2. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST-CONSTRUCTION STORMWATER 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. PETITIONER ACKNOWLEDGES CONCERNS ABOUT DIESEL POWERED EQUIPMENT DURING CONSTRUCTION, AND SHALL MAKE GOOD FAITH EFFORTS TO EMPLOY CONTRACTORS USING DIESEL EQUIPMENT MEETING EPA TIER 4 STANDARDS DURING CONSTRUCTION WHERE POSSIBLE.
- 5. PETITIONER AGREES TO PROVIDE STORMWATER DETENTION AND ATTENUATION FOR THE 10-YEAR AND 25-YEAR STORM EVENTS.

## K. BINDING EFFECT

- 1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN 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. THIS IS VESTED RIGHT FOR 2 YEARS.
- 2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER.

## Dewberry

Dewberry Engineers Inc.

9300 Harris Corners Pkwy - Suite 220
Charlotte, NC 28269
Phone: 704.509.9918
Fax: 704.509.9937
www.dewberry.com
NCBELS #F-0929
NCBOLA #C-478

DEVLOPMEN

REZONING F 5120 ALLEN ROAL CHARLOTTE, NC 2

SEAL

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

SCALE:

REVISIONS

3 09/21/23 DLJ AGENCY COMMENTS

07/17/23 PMW AGENCY COMMENTS

1 06/12/23 PMW AGENCY COMMENTS

No. DATE BY Description

DRAWN BY PMW

APPROVED BY TMM

CHECKED BY TMM

DATE JANUARY 31, 2023

ATE <u>GAINGAI</u>

TITLE

## REZONING NOTES RZP 2023 011

DEI PROJECT NO: 50159873

SHEET NO.

C1.02



