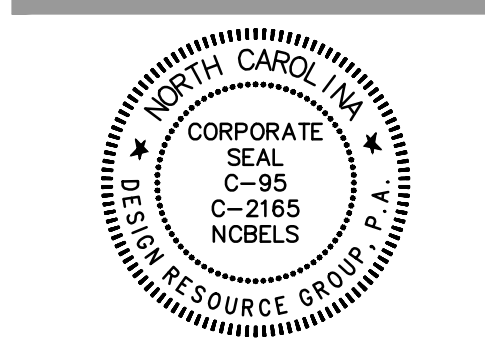


LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
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REZONING PETITION
2018-147
FOR PUBLIC HEARING

REZONING DOCUMENT



MALLARD CREEK
SENIORS
CHARLOTTE, NORTH CAROLINA
LAUREL STREET RESIDENTIAL
511 EAST BOULEVARD
CHARLOTTE, NORTH CAROLINA 28203
704.581.5225

SITE DEVELOPMENT DATA:
ACREAGE: ± 3.31 ACRES
TAX PARCEL #: 029-361-11
EXISTING ZONING: R-3
PROPOSED ZONING: UR-2(CD)
EXISTING USES: RESIDENTIAL
PROPOSED USES: (I) UP TO 90 AGE-RESTRICTED DWELLING UNITS TOGETHER WITH ACCESSORY USES AND (II) UP TO 90 AGE-RESTRICTED COMMUNITY USES
MAX. BUILDING HEIGHT: UP TO THREE (3) STORIES AND 45 FEET AT THE REAR AND SIDE OF THE BUILDING, AND UP TO FOUR (4) STORIES AND 56 FEET ALONG MALLARD CREEK ROAD AS MEASURED BY THE ORDINANCE AND AS GENERALLY DEPICTED ON THE REZONING PLAN
PARKING: As Allowed And Required By The Ordinance, Some Of The Proposed Parking Spaces May Be Covered Spaces (E.G. CAR PORT LIKE STRUCTURES).

GENERAL PROVISIONS
A) **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PLAN") FILED BY LAUREL STREET RESIDENTIAL (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN AGE RESTRICTED RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 3.31 ACRE SITE LOCATED AT 0701 MALLARD CREEK ROAD (THE "SITE").
B) **ZONING DISTRICT ORIGIN.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS BELOW.
C) **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, AND 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.
D) **ALTERATIONS.** SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE 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:
1. 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.

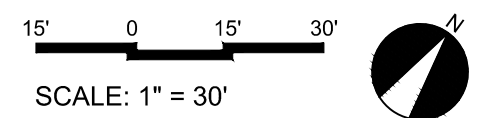
D) **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S).
II. **PERMITTED USES**
A) THE SITE MAY BE DEVELOPED WITH UP TO 90 AGE RESTRICTED RESIDENTIAL DWELLINGS UNITS (AN "AGE RESTRICTED COMMUNITY") TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2 ZONING DISTRICT.
B) **AGE RESTRICTED OR AN AGE RESTRICTED COMMUNITY SHALL MEAN:** (I) A COMMUNITY INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS 55 YEARS OF AGE OR OLDER; (II) A COMMUNITY WHERE 100% OF THE UNITS HAVE AT LEAST ONE OCCUPANT WHO IS 55 YEARS OF AGE OR OLDER; AND (III) THE COMMUNITY MUST PUBLISH AND ADHERE TO POLICIES AND PROCEDURES THAT DEMONSTRATE THE INTENT TO OPERATE AS "55 OR OLDER" HOUSING.
III. **TRANSPORTATION**
A) **ACCESS.** VEHICULAR ACCESS WILL BE FROM MALLARD CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT GENERALLY DEPICTED ON THE REZONING PLAN IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CODE OR NC DOT FOR APPROVAL.
B) **ALL TRANSPORTATION AND STREETSCAPE IMPROVEMENTS, INCLUDING THE COST OF THE 12' MULTI-USE PATH (MUP) SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE RELEASE OF A CERTIFICATE OF OCCUPANCY FOR THE 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.**
C) THE PETITIONER WILL WORK WITH NC DOT TO PROVIDE THE ADDITIONAL RIGHT-OF-WAY INDICATED ON THE SITE PLAN TO ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS BELOW.
D) ANY RIGHT-OF-WAY TO BE DEDICATED FOR THE REQUIRED ROADWAY IMPROVEMENTS WILL BE DEDICATED VIA FEE SIMPLE CONVEYANCE BEFORE THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS ISSUED.
IV. **BUFFER**
A) A 24' FOOT BUFFER WITH A SIX (6) FOOT PRIVACY FENCE WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN (THE FENCE MAY BE TIED INTO THE DUMPSTER ENCLOSURE WALL, AS GENERALLY DEPICTED ON THE SITE PLAN). IN TWO (2) LOCATIONS, AS GENERALLY DEPICTED ON THE REZONING PLAN, THE BUFFER WIDTH MAY BE REDUCED TO EIGHT (8) FEET AND 18 FEET WITH A SIX (6) FOOT FENCE. THE PROPOSED FENCE WILL BE VINYL FENCE. A MINIMUM OF 10 TREES PER HUNDRED LINEAR FEET WILL BE PLANTED IN THE BUFFER. AT LEAST 50% OF THE PROPOSED TREES WILL BE EVERGREEN TREES, AND A MINIMUM OF 50% OF THE TREES WILL BE LARGE MATURING TREES. THE TYPE OF TREES TO BE PLANTED IN THE BUFFER WILL VARY, BUT WILL INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING TYPES OF TREES: EASTERN HEMLOCK; SHUMARD OAK; AMERICAN HOLLY; AMERICAN ARBORVITAE; REDTENT MAPLE; KOUSSA DOGWOOD; FRINGETREE; AND FOSTER HOLLY.
B) DRAINAGE STRUCTURES AND/OR SWALES MAY BE LOCATED WITHIN THE BUFFER. DRAINAGE STRUCTURES AND SWALES MAY RUN ACROSS OR PARALLEL TO THE BUFFER.

V. **ARCHITECTURAL, SETBACK AND STREETSCAPE STANDARDS**
A) **SETBACK ON MALLARD CREEK ROAD.** A 30 FOOT SETBACK WILL BE PROVIDED ALONG MALLARD CREEK ROAD AS MEASURED FROM FUTURE BACK OF CURB AS GENERALLY DEPICTED ON THE REZONING PLAN.
B) **REAR AND SIDE YARDS.** A 95 FOOT REAR YARD WILL BE PROVIDED ALONG NORTHERN PROPERTY LINE; A 25 FOOT SIDE YARD WILL BE PROVIDED ALONG EASTERN PROPERTY LINE, AND A TREE SAVE AREA WILL BE PROVIDED ALONG WESTERN PROPERTY AS GENERALLY DEPICTED ON THE REZONING PLAN.
C) **STREETSCAPE.** THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A TWELVE (12) FOOT MULTI-USE PATH (MUP) ALONG MALLARD CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
D) **DESIGNATED EXTERIOR BUILDING MATERIALS.** THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDING 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.
E) **PROHIBITED EXTERIOR BUILDING MATERIALS.**
1. VINYL SIDING (BUT NOT VINYL HAND-RAILS, WINDOWS OR DOOR TRIM); AND
2. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
F) **DEVELOPMENT/SITE ELEMENTS PLACEMENT.** BUILDING PLACEMENT AND SITE ELEMENT PLACEMENT SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
1. BUILDINGS SHALL FRONT ON MALLARD CREEK ROAD (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM-WATER FACILITIES.
2. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND MALLARD CREEK ROAD. PARKING AREAS LOCATED TO THE SIDE OF THE BUILDING WILL BE SCREENED FROM VIEW AT GRADE WITH LANDSCAPING.
3. **BUILDING MASSING TREATMENT.** BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:
1. BUILDINGS SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 30 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.
2. MODULATION SHALL OCCUR A MINIMUM OF EVERY 75' LINEAR FEET ON FACADE PLANES GREATER THAN 150'.
H) **ARCHITECTURAL ELEVATION DESIGN.** ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
1. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PLASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.
2. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON THE FACADE FACING MALLARD CREEK ROAD. SUCH BASE MAY BE EXECUTED THROUGH USE OF DESIGNATED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FACADE FEATURES AND COLOR CHANGES.
3. BUILDING ELEVATIONS FACING MALLARD CREEK ROAD SHALL NOT HAVE EXPANSIONS OF BLANK WALLS GREATER THAN 25' FEET AND ARCHITECTURAL FEATURES SUCH AS (BUT NOT LIMITED TO) BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STEPLE, UNARTICULATED, AND/OR FLAT FACADE OF SUCH WALLS.
4. **GROUND FLOOR TRANSPARENCY** ALONG THE BUILDING FRONTAGE FACING MALLARD CREEK ROAD SHALL BE A MINIMUM OF 25%.
I) **ROOF FORM AND ARTICULATION.** ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

1. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSIONS WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPs, DORMERS OR PARAPETS.
2. FOR PITCHED ROOFS, THE MINIMUM PITCH SHALL BE 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.
3. ROOF-TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.
J) **SERVICE AREA SCREENING.** SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES.
K) **GROUND FLOOR ELEVATIONS.** RESIDENTIAL GROUND FLOOR FINISH ELEVATIONS SHALL BE RAISED A MINIMUM OF 8" ABOVE FINISH GRADE. BUILDING ENTRANCES SHOULD BE AT GRADE OR AS REQUIRED FOR ADA COMPLIANCE.
L) THE PROPOSED BUILDING ON THE SITE WILL BE CONNECTED TO THE MUP ALONG MALLARD CREEK ROAD TO VIA A SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH OF THE SIDEWALK WILL BE FIVE (5) FEET.
M) THE PETITIONER SHALL PROVIDE A NEW WAITING BUS PAD ALONG THE SITE'S FRONTAGE, AS GENERALLY DEPICTED ON THE REZONING PLAN.
VI. **ENVIRONMENTAL FEATURES**
A) PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION STORMWATER ORDINANCE. THE REQUIRED STORMWATER TREATMENT AREA WILL BE LOCATED UNDERGROUND.
B) PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.
C) THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS GENERALLY DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
D) THE PETITIONER SHALL ANALYZE THE ADEQUACY OF THE EXISTING STORMWATER CONVEYANCE ACROSS PARCELS RECEIVING STORMWATER DISCHARGE FROM THE SITE. THE LIMITS OF ANALYSIS SHALL EXTEND TO THE DOWNSTREAM SIDE OF THE PARCEL ADDRESSED AS 3000 PARKER GREEN TRAIL OR TO THE WHERE THE REZONING SITE IS LESS THAN 10% OF THE TRIBUTARY DRAINAGE AREA, WHICHEVER CRITERION CREATES THE LONGEST ANALYSIS LIMITS. IF THE EXISTING STORMWATER CONVEYANCE WITHIN THE SPECIFIED ANALYSIS LIMITS IS FOUND TO BE INADEQUATE, THE PETITIONER SHALL MAKE A GOOD FAITH EFFORT WITH THE PROPERTY OWNER(S) TO IMPROVE THE STORMWATER CONVEYANCE OR OTHERWISE MITIGATE IMPACTS OF THE STORMWATER DISCHARGE FROM THE SITE WITHIN THE SPECIFIED ANALYSIS LIMITS.
VII. **SCREENING**
A) **CUT-OFF FIXTURES.** ALL PARKING AREA LIGHTING FIXTURES WILL BE SHIELDED WITH FULL CUT-OFF FIXTURES AND HAVE A MAXIMUM HEIGHT OF FIFTEEN (15) FEET.
VIII. **SIGNAGE**
RESERVED.
IX. **AMENDMENTS TO REZONING PLAN**
FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR PARCEL WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

X. **BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**
IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

SCHEMATIC SITE PLAN



PROJECT #: LD9-009
DRAWN BY: JN
CHECKED BY: SK

NOVEMBER 20, 2018

REVISIONS:
FEBRUARY 11, 2019 PER STAFF AND NEIGHBORHOOD COMMENTS