

Development Standards:

1. General Provisions:
- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by FH 1524 Sunset Rd., LLC ("Petitioner") to accommodate the development of a single family and townhome community on approximately 54.99 acre site located on the south side of Sunset Road between Joe Turner Drive and Oakdale 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 otherwise herein provided, all more stringent standards, the regulations established under the Ordinance for the MX-2 zoning classification shall govern.
- 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.
- 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:

- l. 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 attached dwelling buildings to be developed on the Site shall not exceed 36 (the number of detached dwelling units will be determined by the total number of lots ultimately developed). 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 located on the Site. Accessory structures and buildings include structures and buildings such as but not limited to: a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.

2. Permitted Uses:

- a. The Site may be developed with up to 280 dwelling units, including the existing single-family home with frontage on Oakdale Rd and labeled as existing home to remain on Sheet RZ-1 (if this home is demolished the number of dwelling units may be increased by three (3) to 283). The residential community may contain a mix of detached dwellings and attached dwelling units, together with accessory uses allowed in the MX-2 zoning district.
- No more than 150 attached dwelling units may be constructed on the Site, in the location generally indicated on the Rezoning Plan. The Petitioner reserves the right to construct detached dwelling units instead of attached dwelling units in some or all the area of the Site where attached dwellings are generally depicted.
- No more than 211 detached dwelling units may be constructed on the Site.
- The mix of unit types may vary and may range between 211 single-family homes and zero (0) attached dwelling units, and 133 single-family homes and 150 attached dwelling units as long as the total number of units does not exceed 280 units or 283 units if the existing single-family home is demolished.
- Non-residential uses will not be allowed on the Site. The Petitioner may elect to only construct detached dwelling units on the Site and not construct any attached dwelling units (townhomes).

3. Access:

- a. Access to the Site will be from Sunset Road, Oakdale Road, the extension of Allen Jay Drive, Oakdale Pasture Drive, and Oakdale Creek Lane as generally depicted on the Rezoning Plan.
- b. The Petitioner will construct a westbound left-turn lane on Sunset Road to access Public Street A. The westbound left-turn lane will contain 150 feet of storage and an appropriate taper. The Petitioner will also construct a southbound left-turn lane on Oakdale Road to access Public Street E. The southbound left-turn lane will contain 150 feet of storage and an appropriate taper. These left-turn lanes may be constructed independently of each other. The left-turn lane along Sunset Road will be required as part of the construction of Public Street A, and the construction of the left-turn lane along Oakdale will be constructed as part of the construction of Public Street E.
- c. The construction of off-site right-of-way, easements, including sight distance easements. If the Petitioner is not able to secure this additional right-of-way or the necessary easements then the Petitioner may request that the City of Charlotte assist with the securing of the needed right-of-way or easements. The Petitioner may post a bond for this required improvement to allow the release of the first and subsequent certificates of occupancy for lots units served by these left-turn lanes.
- d. If the City and the Petitioner are not able to secure the necessary right-of-way and easements to construct one or both of the proposed improvements (left-turn lanes described above) then the Petitioner will not be required to construct the improvement(s) for which right-of-way or easements have not been secured for, but will instead contribute the estimated cost of the improvement(s) for the improvement or improvements that the necessary right-of-way or easements are secured for one of the left turn lanes but not the other, then the Petitioner will construct the turn lane for which the right-of-way and easements have been secured and contribute the funds for the other (i.e. each improvement will be treated as a separate improvement so that the lack of right-of-way or easements for one improvement does not prohibit the construction of the other). If, after eight (8) years, after the contribution of the funds to the City, if the City has not constructed the proposed left-turn lane(s) the City will reimburse the funds contributed to the City for the construction of the proposed left-turn lane(s) to the Petitioner.
- e. The design of Public Street A and E will include a left turn egress lane with 60 feet of storage as generally depicted on the Rezoning Petition.
- f. The Petitioner will construct any required roadway improvements, including the proposed left-turn lane, along Sunset Road and provide any required sidewalk and utility easements needed for these improvements prior to the issuance of the 51st certificate of occupancy for the portion of the Site with access from Sunset Road. The Petitioner reserves the right to post a bond for any roadway improvements not finalized at the time of the issuance of the first certificate of occupancy.
- g. The Petitioner will construct any required roadway improvements, including the proposed left-turn lane, along Oakdale Road and provide any required sidewalk and utility easements needed for these improvements prior to the issuance of the 51st certificate of occupancy for the portion of the Site with access from Oakdale Road. The Petitioner reserves the right to post a bond for any roadway improvements not finalized at the time of the issuance of the first certificate of occupancy.
- h. The Petitioner will dedicate via fee simple conveyance 35 feet of additional right-of-way from the existing center line of Sunset Road and Oakdale Road. This additional right-of-way will be dedicated as part of the required final plans for development taking place along each of these roads. 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.
- 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.

4. Streetscape, Buffers, Open Space, and Landscaping:

- a. The Petitioner will provide 30 foot Common Open Space area along Sunset Road and Oakdale Road as required by Section of 12.308 of Ordinance and as generally depicted on the Rezoning Plan.
- b. The future back of curb along the Site's frontage on Sunset and Oakdale Road will be located at minimum of 24 feet from the roads existing centerline. The Petitioner will provide curb and gutter along Sunset Road and Oakdale Road as required by Chapter 19. If curb and gutter is not required by Chapter 19 the Petitioner may at its discretion install curb and gutter on either street.
- c. The Petitioner will improve the Site's frontage along Sunset Road and Oakdale Road with a six (6) foot sidewalk. If the existing right-of-way along Sunset Rd. is sufficient to allow the installation of sidewalk across tax parcel # 037-042-11 without the acquisition of additional right-of-way, or construction and/or utility easements, then the Petitioner will construct a sidewalk along the frontage of this parcel as part of the construction of a sidewalk along the Site's frontage.
- d. The Petitioner will provide a 37.5 foot Class C Buffer with a six (6) foot solid fence between the proposed attached dwelling units and the exterior property line as generally depicted on the rezoning plan. If detached dwelling units are constructed in the area of the Site set aside for attached dwelling units where a buffer is indicated then a buffer is not required to be provided.
- e. The Petitioner will provide an improved common open space area as generally depicted on the Rezoning Plan as required by the MX-2 zoning district.

- f. The Petitioner will provide sidewalks and planting strips along the interior public streets as required by the Ordinance and as required by CMLS standards for a local residential medium public streets.
5. Attached Dwelling Unit Architectural Standards:
- a. The principal buildings used for attached residential dwelling units constructed on the Site 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 hardy-plank), vinyl, EIFS or wood.
- b. No more than five (5) attached dwelling units may be located in each building developed for attached dwelling units.
- c. The entrances (front door entrances) for the proposed attached dwelling units located within 15 feet of a sidewalk will be raised a minimum of 12 inches above the average grade of the sidewalk.
- d. The proposed units shall be constructed with a minimum of six (6) feet of side setback from the proposed public street.
- e. A porch or a stoop shall form a predominate motif of the building design. If a porch is constructed the front porch will have a minimum depth of six (6) feet as generally indicated on the Rezoning Plan.
- f. The proposed units located on the interior of the Site that have end elevations directly across the proposed public street from units that front the same public street will be constructed with corner porches. Corner porches will extend a minimum of six (6) feet from the front elevation and will have a minimum depth of six (6) feet.
- g. Stairs and entry-level porches may be covered but should not be enclosed.
- h. Units located at street corners (corner units) and end units that abut the a public street will have architectural treatments or windows to avoid blank wall expanses greater than 10 feet on all building levels.
- i. Each residential dwelling unit will be provided with a one-car garage.
- j. Garage doors visible from the public streets will be recessed at least one (1) foot behind the front most building face, and provide additional architectural treatments such as translucent windows or projecting elements over the garage door opening to minimize the visual impact of the garage doors on the public streets.
- k. When vinyl siding is used as a building material, on the proposed buildings, the minimum thickness of the proposed vinyl will be .042.
- l. Sidewalks will be provided that connect the main entrance to each residential unit to the sidewalks along the proposed public streets.

6. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. 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.
- c. Development within the SWIM/PCSO/Watershed Buffers shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City Ordinance.
- d. The Site will comply with the Tree Ordinance.
- e. All utilities within the Site will be placed underground.

7. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Decorative pedestrian scale lights will be provided along the internal public streets.
- c. Architectural lighting on building facades, such as but not limited to scones, will be permitted.

8. Greenway Dedication along Gutter Branch:

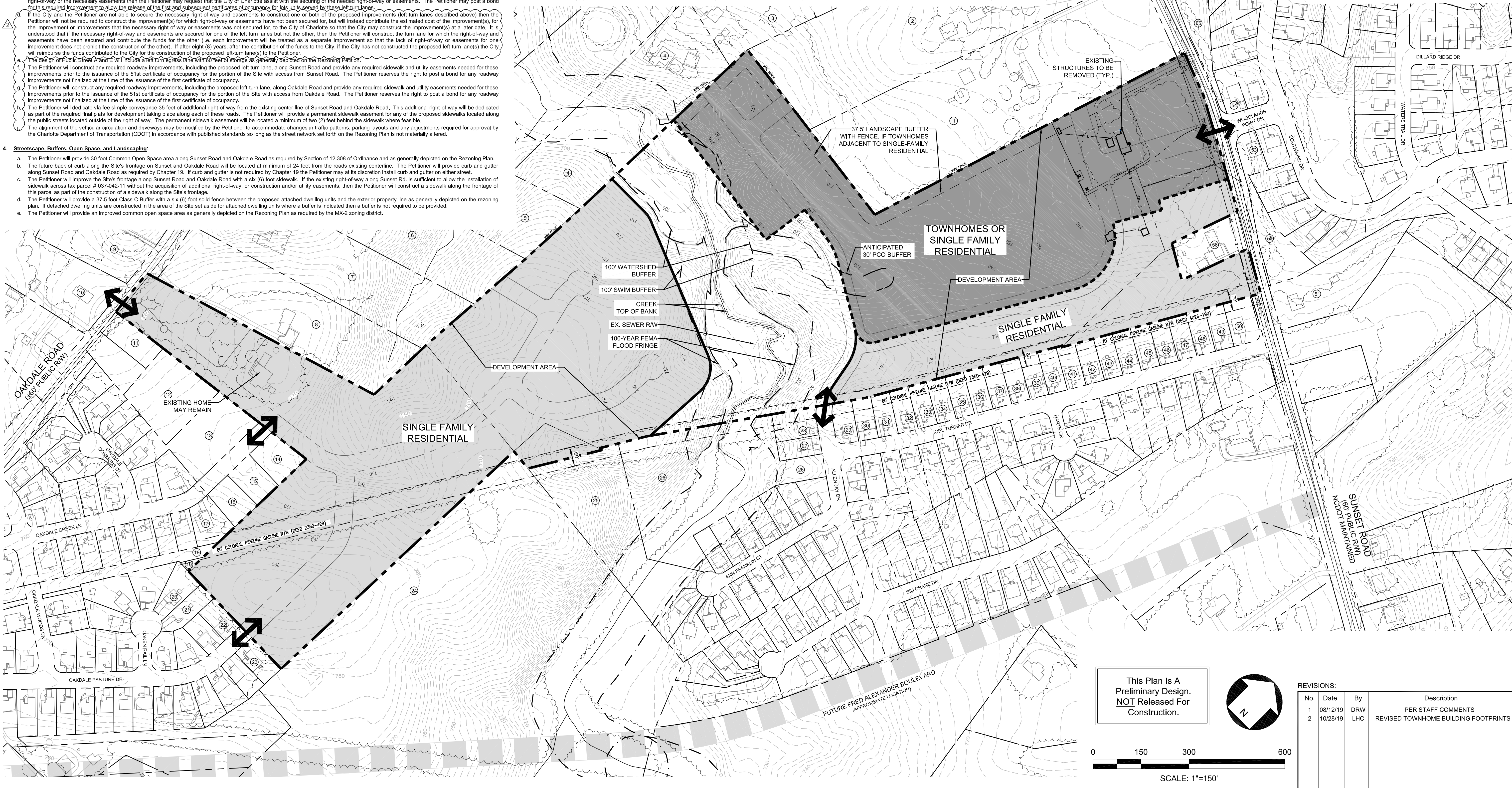
- a. The Petitioner will dedicate and convey to Mecklenburg County the portion of the 100 foot SWIM buffer for Gutter Branch located on the Site as generally depicted on the Rezoning Plan. This area will be dedicated and conveyed to Mecklenburg County prior to the issuance of the last certificate of occupancy on the Site. Storm water detention and water quality treatment areas may not be located within the area to be dedicated to Mecklenburg County. The area dedicated to County Park and Recreation may also be used to meet tree save requirements of the Tree Ordinance.

9. 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 portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

10. 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 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.



LEGEND

- STREAM BUFFER
- EXISTING CONTOURS
- EXISTING TREE LINE
- EXISTING SEWER EASEMENT
- PROPOSED SITE ACCESS

Project Manager: MDL

Drawn By: DRW

Checked By: MDL

Date: 04/11/2019

Project Number: 18064

Sheet Number:

