

DEVELOPMENT STANDARDS
AUGUST 11, 2020

A. GENERAL PROVISIONS

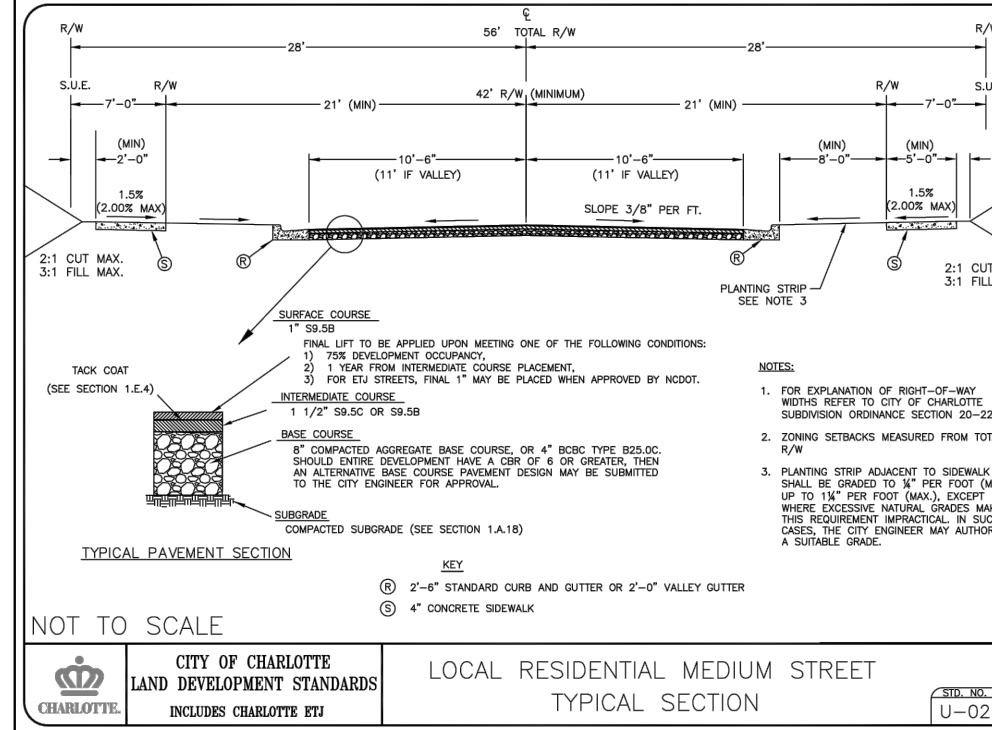
1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY NEST COMMUNITIES, LLC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 28.80 ACRE SITE LOCATED ON ROCKY RIVER RD W AT SOUTHWEST CORNER OF ITS INTERSECTION WITH ROCKLAND DR., CONSISTING OF ALL OF TAX PARCEL NOS. 049-221-21, 049-202-04, AND 049-202-08, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE").
2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
4. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL PRIVATE STREETS/PRIVATE ALLEYS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
5. 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 SECTION 6.207 OF THE ORDINANCE.

B. PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 167 DUPLEX AND/OR SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE R-MF ZONING DISTRICT.

C. TRANSPORTATION

1. PETITIONER WILL INSTALL A 12' MULTI-USE PATH ALONG PROPERTY FRONTAGE TO PROVIDE CONNECTIVITY AND ACCESSIBILITY IN ACCORDANCE WITH THE CITY OF CHARLOTTE BIKES AND CHARLOTTE WALKS POLICES AS ILLUSTRATED AND NOTED ON THE SITE PLAN.
2. DEVELOPMENT OF THE SITE SHALL BE GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.



3. THE SITE WILL BE SERVED BY INTERNAL PRIVATE STREETS IN THOSE LOCATIONS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN AND LABELED AS "PROPOSED PRIVATE DRIVE". MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
4. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE TO NAKO (AS APPLICABLE) THOSE PORTIONS OF THE SITE LOCATED IMMEDIATELY ADJACENT TO THE PROPOSED PUBLIC ROADS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN AND LABELED AS "PROPOSED R.O.W. RESIDENTIAL MEDIUM" AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING, WHERE FEASIBLE, TO TWO FEET BEHIND THE BACK OF SIDEWALK AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
5. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
6. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHT OF WAY TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
7. PETITIONER SHALL DEDICATE 35' OF RIGHT-OF-WAY FROM THE ROCKY RIVER ROAD WEST CENTERLINE AS DEPICTED ON THESE PLANS.

D. ARCHITECTURAL STANDARDS

1. BUILDING MATERIALS FOR THE BUILDING CONSTRUCTED ON THE SITE MAY INCLUDE THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING, VINYL, WPS, OR WOOD.
2. 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.
3. DUMPSTER AND RECYCLING AREAS, IF PROVIDED, WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A GATE. WALL OR FENCE SHALL BE COMPATIBLE WITH COLOR OF PRINCIPAL BUILDING UNITS.
4. ALL HOME AND TOWNHOME SITES SHALL INCLUDE A COVERED STOOP OR FRONT PORCH.
5. BUILDINGS CONTAINING SINGLE FAMILY ATTACHED DWELLING UNITS FRONTING PUBLIC OR PRIVATE NETWORK REQUIRED STREETS SHALL BE LIMITED TO 7 INDIVIDUAL UNITS OR FEWER.
6. THE PLACEMENT AND CONFIGURATION OF THE DRIVEWAYS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE MODIFIED DUE TO GRADING/TOPOGRAPHY OF THE SITE AND/OR ARCHITECTURAL FEATURES OF THE BUILDINGS CONSTRUCTED ON THE SITE.
7. ALL CONVEYED UNITS THAT FACE A PUBLIC OR PRIVATE STREET SHALL HAVE A PORCH OR STOOP THAT MARKS A PORTION OF THE FRONT AND SIDE OF THE UNIT, OR PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPOSURE TO BE FIFTEEN FEET ON ALL BUILDING LEVELS.
8. GARAGE DOORS VISIBLE FROM PUBLIC OR PRIVATE STREETS SHOULD MINIMIZE THE VISUAL IMPACT BY PROVIDING ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS AND PROTECTING ELEMENTS OVER THE GARAGE DOOR OPENING.

9. WALKWAYS SHOULD BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS AND PUBLIC OR PRIVATE STREETS.

E. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, PRIVATE STREETS/PRIVATE ALLEYS AND SIDEWALKS, WALKWAYS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.

F. ENVIRONMENTAL FEATURES

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. DEVELOPMENT WITHIN ANY SWAMP/PCSO BUFFER, INCLUDING POTENTIAL BUFFERS AROUND THE EXISTING POND ON SITE, SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE/MECKLENBURG STORMWATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. PETITIONER KNOWLEDGES INTERMITTENT/PERMANENT STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLAN FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.
5. 100' UNDISTURBED PCSO STREAM BUFFER MUST BE EXTENDED TO INCLUDE THE ENTIRE FLOODPLAIN PER PCSO SECTION 18-145.
6. PETITIONER WILL NEED TO PROVIDE SURVEY OF EXISTING TREES IN RIGHTS OF WAY AT THE TIME OF SITE PLAN SUBMITTAL. TREES LOCATED IN EXISTING RIGHTS OF WAY WILL BE PRESERVED. ANY TREES REMOVED FROM RIGHTS OF WAY WILL REQUIRE MITIGATION.

G. AFFORDABLE DWELLING UNITS

1. A MINIMUM OF TWENTY PERCENT OF THE UNITS CONSTRUCTED ON THE SITE WILL BE PROVIDED TO BUYERS AT OR BELOW 80% OF THE AREA MEDIAN INCOME AS PUBLISHED AND PERIODICALLY UPDATED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. HOUSEHOLD INCOME WILL BE DETERMINED BY HOUSEHOLD INCOME VERIFICATION UNDER FEDERAL CODE OF REGULATIONS CITATION 24 CFR PART 5. FOR EACH SUCH UNIT, PETITIONER SHALL EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF CHARLOTTE TO

PROVIDE A 15 YEAR DEED RESTRICTION LIMITING THE INITIAL AND SUBSEQUENT SALES TO INCOME ELIGIBLE BUYERS AND TO PROVIDE THE CITY OF CHARLOTTE WITH A FIRST RIGHT OF REFUSAL ON SUBSEQUENT SALES.

H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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 PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT.

ZONING SUMMARY:

OWNER: JOHN CLARK JR.
OWNER ADDRESS: 224 ROBINLYNN ROAD, CHARLOTTE, NC 28105
CIVIL ENGINEER/LANDSCAPE ARCHITECT: BLOC DESIGN, PLLC
BLOC DESIGN PHONE #: 704-940-2883
ZONING DESIGNATION (EXISTING): R-3
ZONING DESIGNATION (PROPOSED): R-MF(CD)
PARCEL SIZE: 28.80 ACRES
JURISDICTION: CITY OF CHARLOTTE
PARCEL NUMBERS: 04922121, 04922004, & 04922008

SETBACK AND YARD REQUIREMENTS

FRONT: 27' SETBACK ALONG PROPOSED R.O.W., 30' SETBACK ALONG EXISTING R.O.W.
FACE OF GARAGES MUST BE SET BACK AT LEAST 20' FROM PROPOSED SIDEWALK
5'-7' SETBACK FROM PROPOSED SIDEWALK MAY BE USED ON PRIVATE STREETS
SIDE YARD: 20'
REAR YARD: 50'
(SIDE YARD AND REAR YARD MAY BE INTERCHANGEABLE BASED ON PLANNED MULTI-FAMILY BUILDING ORIENTATION)
MAXIMUM BUILDING HEIGHT: 41'

BUFFERS REQUIRED

NORTH PARCEL: 50' CLASS 'C' BUFFER
SOUTH PARCEL: 50' CLASS 'C' BUFFER REDUCED TO 37.5' WITH FENCE WHERE ILLUSTRATED

BUILDING SEPARATION

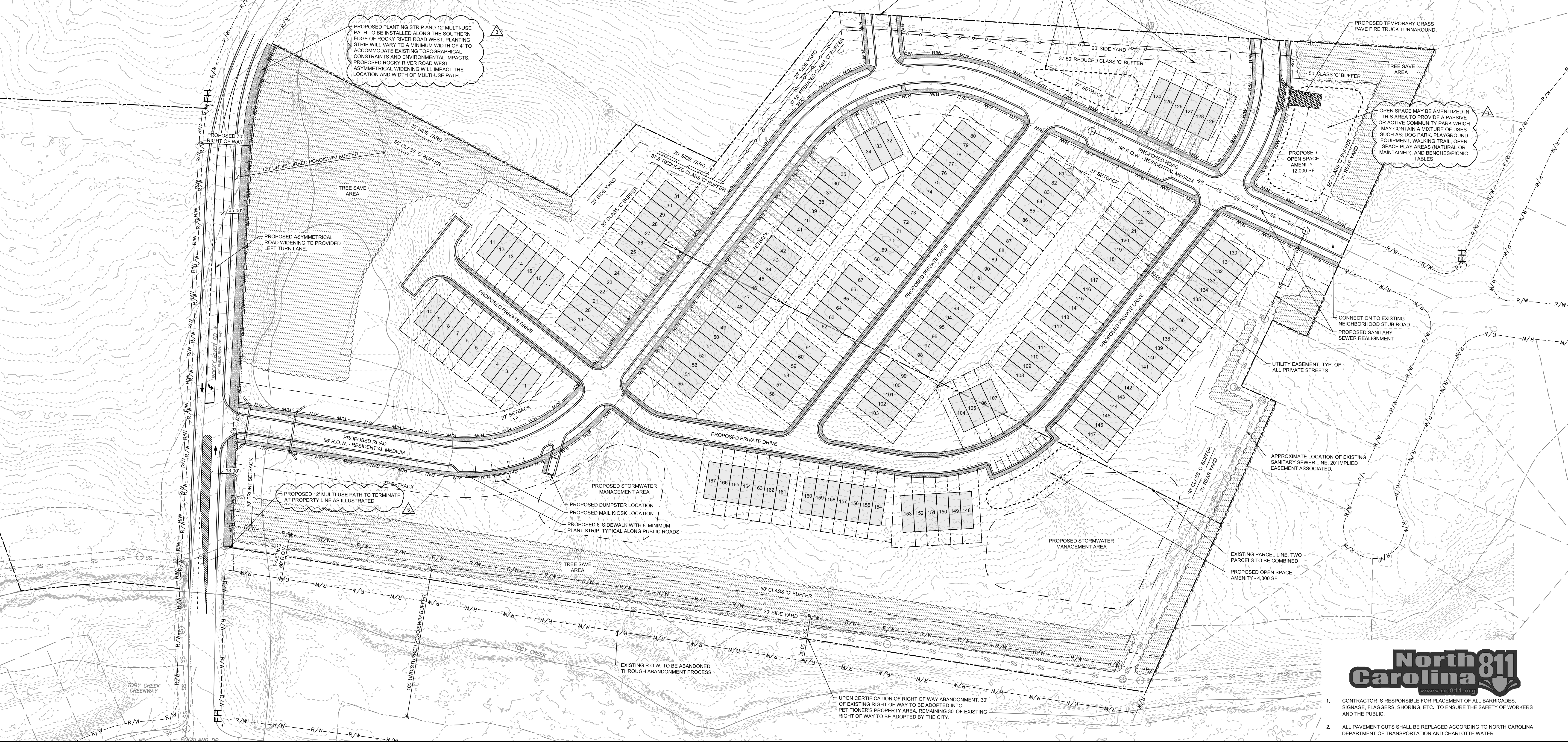
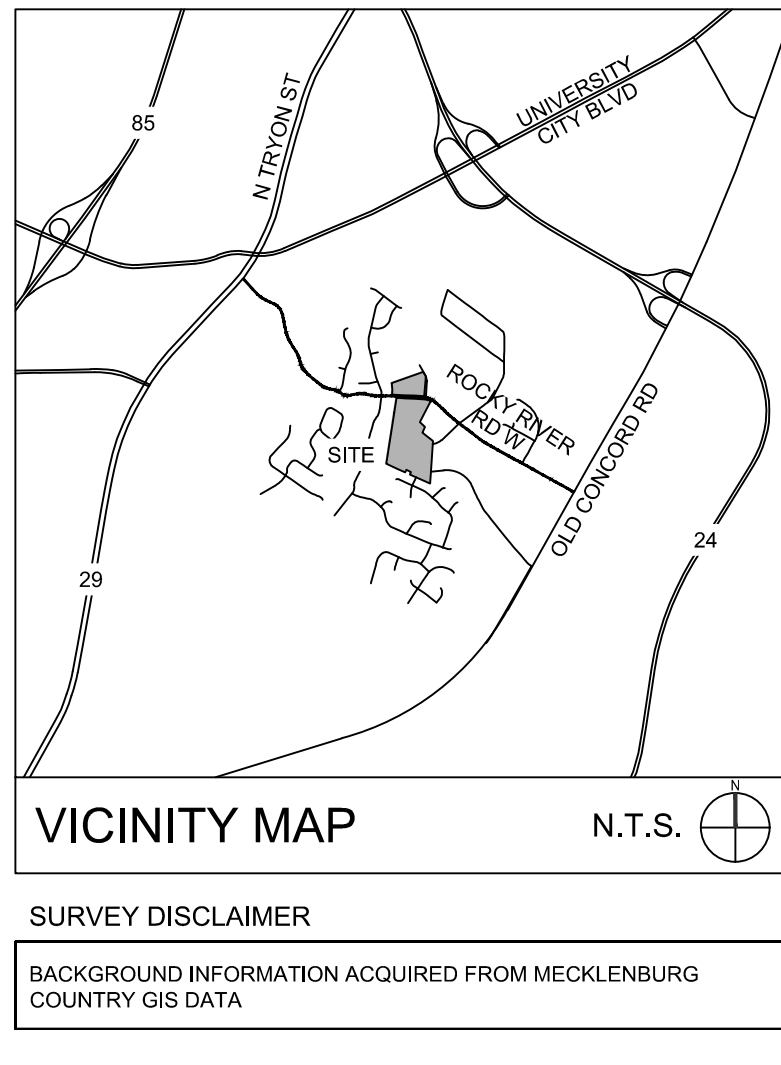
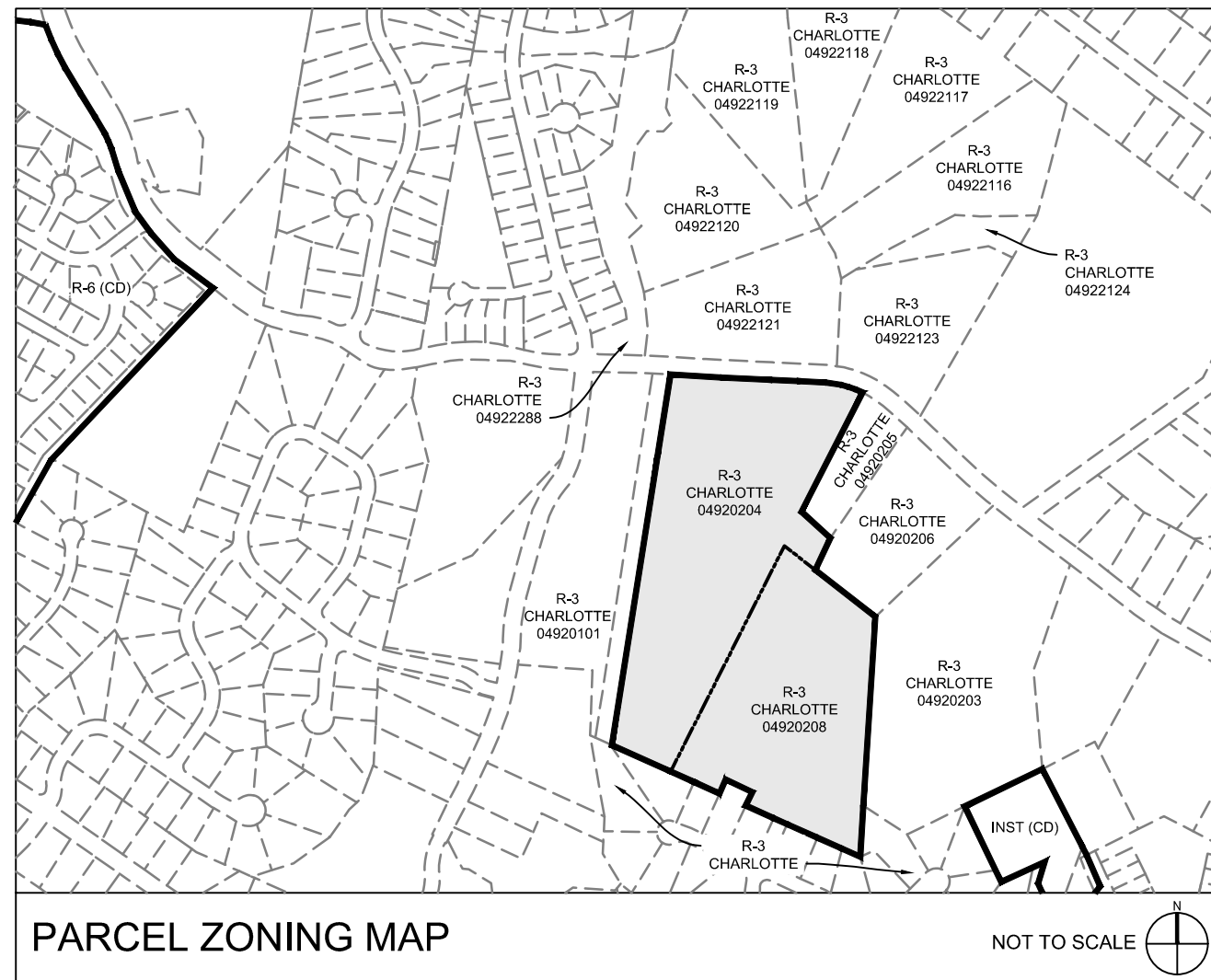
MINIMUM 15' BUILDING SEPARATION REQUIRED

DEVELOPMENT SUMMARY:

TOWNHOMES UNITS: 167 UNITS
PROPOSED DENSITY: 5.80 DUA

TREE SAVE AREA:

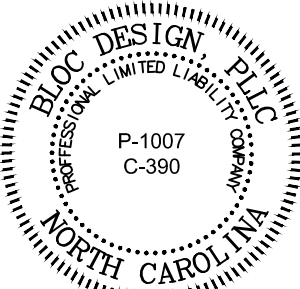
TOTAL PARCEL AREA: 24.35 ACRES
AREA IN ROW: 2.82 ACRES
REMAINING PARCEL AREA: 21.74 ACRES
REQUIRED: 15% (15 X 21.74 AC) = 4.16 ACRES
PROVIDED: MIN. 4.16 ACRES



REVISIONS		
NO.	DATE	DESCRIPTION
1	12/15/20	REZONING SECOND SUBMITTAL
2	01/08/21	REZONING THIRD SUBMITTAL
3	01/29/21	REZONING FOURTH SUBMITTAL

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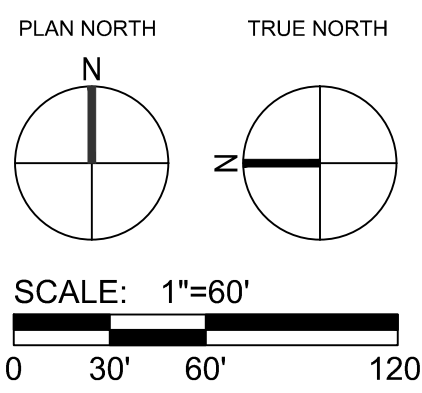


NOT FOR
CONSTRUCTION

REZONING PETITION : 2020-137

Clark Village
Duplex and Townhome
Subdivision

900 Rocky River Rd W
Charlotte, NC 28213



DATE: 08/11/20	MPIC: WILL
DRAWN BY: DSB	CHECKED BY: WILL
PROJECT NUMBER: 007777.00	
SCALE: 1" = 60'	
TITLE: CONCEPTUAL SITE PLAN	

SHEET NO:
RZ-1



1. CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC., TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC.
2. ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND CHARLOTTE WATER.