



Charlotte-Mecklenburg Planning Department

DATE: November 1, 2015

TO: Donald Moore
Zoning Supervisor

FROM: Ed McKinney
Interim, Planning
Director

SUBJECT: Administrative Approval for Petition No. 2014-001C Southern Apartment Group

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- 1,000 square footage addition per section 6.207 to bring the total allowed office square footage to 11,000 square feet.

Reasons for Staff's support of the request:

- The site plan complies with the conditional notes and still meets the intent of the approved site plan by the County Commissioners.

Note: All other Zoning, Subdivision, Tree Ordinances, Building Codes, and conditional requirements still apply.

Signage was note reviewed as part of this request.

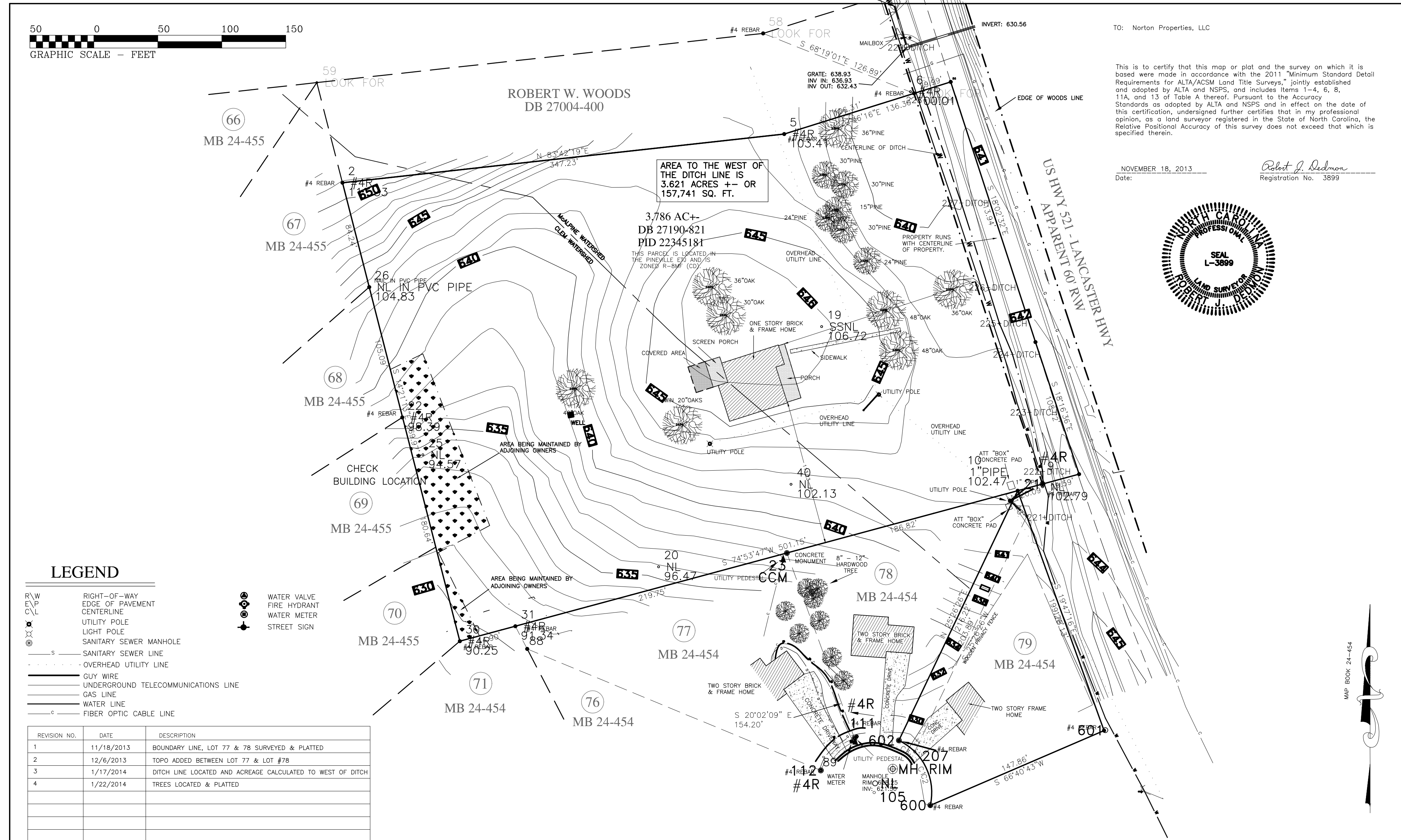
DEVELOPMENT DATA
 TAX PARCEL ID #S: 223-451-81
 ZONING JURISDICTION: MECKLENBURG COUNTY
 TOTAL SITE ACREAGE: (3.78) 3.62 AC NET OF EXISTING R/W

ZONING:
 EXISTING ZONING: R8-MF (CD)
 EXISTING USE: SINGLE FAMILY DWELLING UNIT (STRUCTURE) & VACANT LAND

Attached to Administrative
 Approval

Solomon A. Fortune
 Solomon A. Fortune

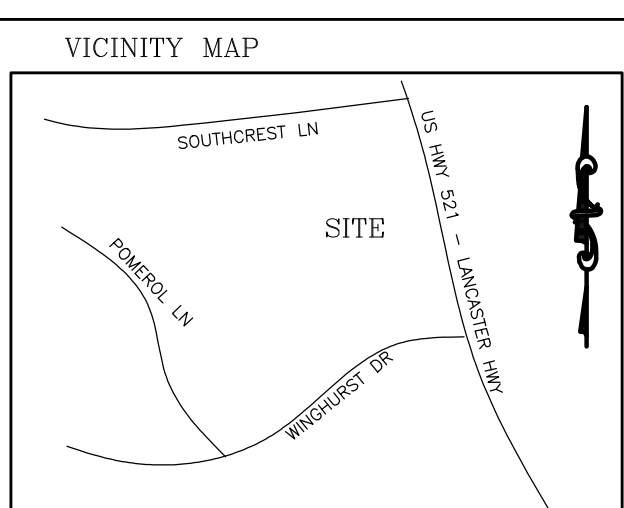
LandDesign
 223 N Graham Street - Charlotte, NC 28202
 V: 704.333.0225 F: 704.332.3246
 www.LandDesign.com



LEGEND

- R/W RIGHT-OF-WAY
- EXP EDGE OF PAVEMENT
- C/L CENTERLINE
- UTILITY POLE
- LIGHT POLE
- SANITARY SEWER MANHOLE
- SANITARY SEWER LINE
- OVERHEAD UTILITY LINE
- GUY WIRE
- UNDERGROUND TELECOMMUNICATIONS LINE
- GAS LINE
- WATER LINE
- FIBER OPTIC CABLE LINE
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- STREET SIGN

REVISION NO.	DATE	DESCRIPTION
1	11/18/2013	BOUNDARY LINE, LOT 77 & 78 SURVEYED & PLATTED
2	12/6/2013	TOPO ADDED BETWEEN LOT 77 & LOT 78
3	1/17/2014	DITCH LINE LOCATED AND ACREAGE CALCULATED TO WEST OF DITCH
4	1/22/2014	TREES LOCATED & PLATTED



NOTES:

- PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
- OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION
- DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
- DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN. FIRM PANEL NUMBER 37104447003 (3/20/2009)

DEDMON SURVEYS

CHUCK POOVEY, PLS #3762
 ROBERT DEDMON, PLS #3899
 3704 NC HIGHWAY #16 NORTH
 P.O. BOX 494 - DENVER, NC 28037
 PHONE: 704/483/4908
 FAX: 704/483/2170

JULY 11, 2013
 SCALE: 1" = 50'

DB: 27190 PG: 821
 DB: 1410 PG: 55
 PB: 24 PG: 454

PINEVILLE TOWNSHIP
 MECKLENBURG COUNTY, NC

SURV. BY: KJ DRAWN: RD JOB# K2LANCASTER

PHYSICAL SURVEY FOR
NOTION PROPERTIES, LLC

PARCEL ID 22345181
 14732 LANCASTER HIGHWAY - PINEVILLE, NC

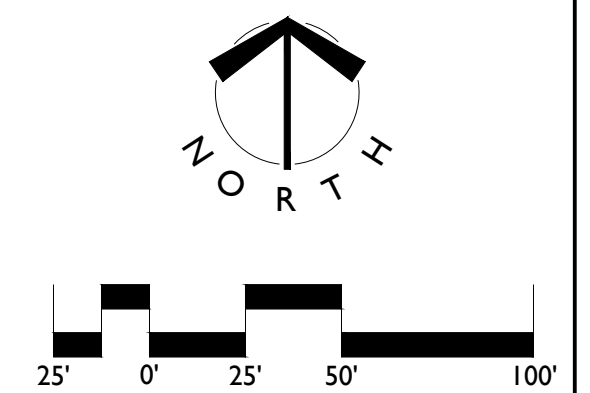
LANCASTER HWY
 EXISTING CONDITIONS
 SOUTHERN APARTMENT GROUP, MECKLENBURG COUNTY
 CITY OF CHARLOTTE REZONING 2014-001(C)

REVISIONS:

DATE: 06/23/14
 DESIGNED BY: LDB
 DRAWN BY: LDB
 CHECKED BY: MFB
 C/C BY: MFB
 SCALE: PER SHEET
 PROJECT #: 1013226
 SHEET #:

RZ-1

PETITION #: 2014-001(C)
 CITY OF CHARLOTTE



Attached to Administrative
Approval

Solomon A. Fortune \$
Solomon A. Fortune

ROBERT W. WOODS
DB 27004-400

DEVELOPMENT DATA

TAX PARCEL ID #'S: 223-451-81
ZONING JURISDICTION: MECKLENBURG COUNTY
TOTAL SITE ACREAGE: (3.78) 3.62 AC NET OF EXISTING R/W
REQUIRED PARKING: 42 STALLS (NS DISTRICT)
PARKING PROVIDED: A MINIMUM OF 1.5 PARKING SPACES PER DWELLING UNIT AND A MINIMUM OF 1.0 PARKING SPACE FOR EACH 350 GROSS SQUARE FEET OF OFFICE USE WILL BE PROVIDED.

ZONING: R8-MF (CD)
EXISTING ZONING: SINGLE FAMILY DWELLING UNIT (STRUCTURE) & VACANT LAND NS (NEIGHBORHOOD SERVICES)
EXISTING USE: UP TO 24 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND UP TO 10,000 SQ. FT. OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USE TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT.
PROPOSED ZONING: NS (NEIGHBORHOOD SERVICES)
PROPOSED USE: UP TO 24 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND UP TO 11,000 SQ. FT. OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USE TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT.

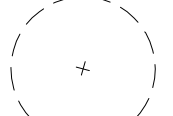
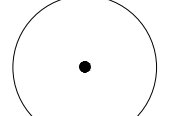

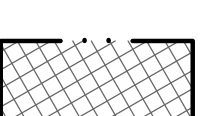

NEIGHBORHOOD SERVICES DATA:

MIN. SETBACK : 25' **
MIN. SIDEYARD: 10'
MIN. REARYARD: 20'
MAX. BLDG HEIGHT: *

*NOT TO EXCEED (3) STORIES OR 40 FEET FOR MULTI-FAMILY RESIDENTIAL BUILDING; AND NOT TO EXCEED ONE (1) STORY AND 30 FEET FOR THE PROPOSED OFFICE BUILDINGS, BUILDING HEIGHT TO BE MEASURED AS DEFINED BY THE ORDINANCE.

**25' FROM BACK OF EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER

LEGEND:

-  EXISTING TREES TO BE SAVED
-  PROPOSED STREET TREES
-  PROPOSED WATER QUALITY
-  PROPOSED RAIN GARDEN
-  PROPOSED BLDG ENVELOPE

66
MB 24-455

67
MB 24-455

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MB 24-455

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MB 24-455

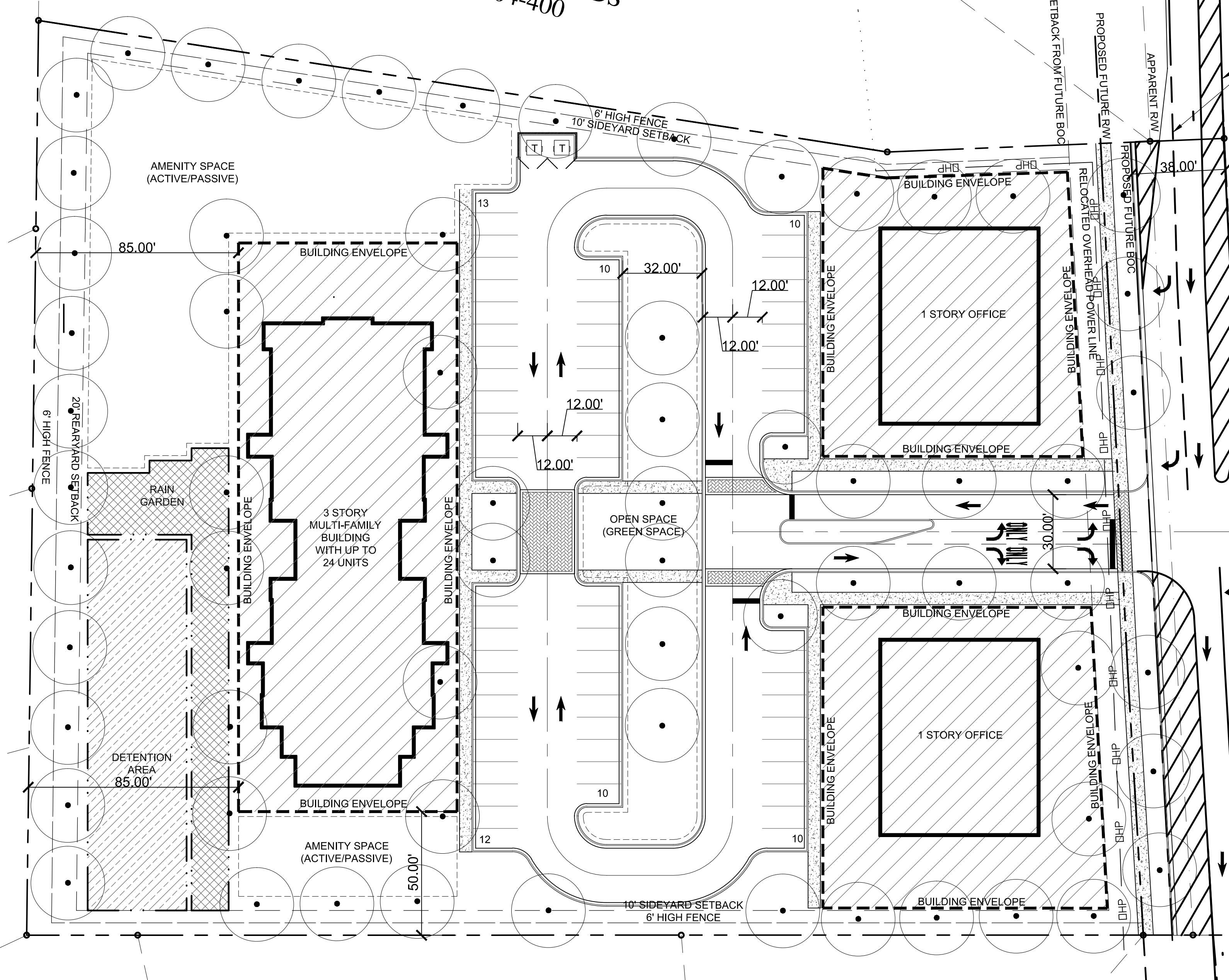
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MB 24-455

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MB 24-454

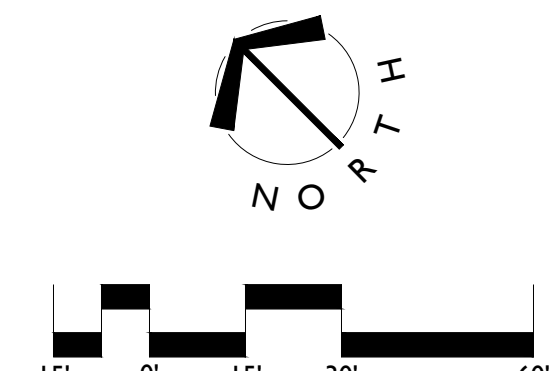
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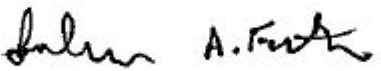


US HWY 521 - LANCASTER HWY
APPARENT 60' RW



PETITION #: 2014-001(C)
CITY OF CHARLOTTE

Attached to Administrative
Approval


Solomon A. Fortune

Site Development Data:

- Acres:** ± 3.62 acres net of existing right-of-way (± 3.78 acres total)
- Tax Parcel #:** 223-451-81
- Existing Zoning:** R-8MF(CD) (by Rezoning Petition No. 2008-001(c))
- Proposed Zoning:** NS
- Existing Uses:** A single-family dwelling unit.
- Proposed Uses:** Up to 24 multi-family residential dwelling units and up to 10,000-11,000 square feet of gross floor area of general and medical office uses together with accessory uses, as allowed in the NS zoning district.

--**Maximum Building Height:** Not to exceed (3) stories or 40 feet for the multi-family residential building; and not to exceed one (1) story and 30 feet for the proposed office buildings, building height to be measured as defined by the Ordinance.

--**Parking:** A minimum of 1.5 parking spaces per dwelling unit and a minimum of 1.0 parking space for each 350 gross square feet of office uses will be provided.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Southern Apartment Group - Ballantyne, LLC ("Petitioner") to accommodate the development of a 24 unit multi-family community and a small scale professional office park on approximately 3.78 gross acre site (3.62 acres excluding existing road right-of-way) located on the west side of Lancaster Hwy. between Southcrest Lane and Winghurst Drive (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 Mecklenburg County Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, 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:

- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "building envelope line" indicated on Sheet RZ-1; or
- modifications to allow changes to the configuration and type of improvements indicated on Sheet RZ-2 to the amenity areas/open spaces as long as the total area of the amenity areas/open spaces is not reduced beyond what is indicated 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 shall not exceed four (4). 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.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 24 multi-family residential dwellings units and up to 10,000-11,000 square feet of gross floor area of general and medical office uses together with accessory uses allowed in the NS zoning district.
- b. Surface parking areas will not be allowed between Lancaster Highway and the proposed buildings.

3. Access and Transportation:

- a. Access to the Site will be from Lancaster Highway in the manner generally depicted on the Rezoning Plan.
- b. The Petitioner will dedicate in fee-simple to the City of Charlotte up to 50 feet of right-of-way from the center line of Lancaster Highway. This right-of-way dedication will occur prior to the issuance of a certificate of occupancy for the building constructed on the Site.
- c. The Petitioner will install curb gutter and sidewalk in the location generally indicated on the Rezoning Plan.
- d. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT or NCDOT in accordance with applicable published standards.
- e. The alignment of the internal 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 CDOT in accordance with published standards.

1. Architectural Standards:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
- b. No spans of blank, unarticulated walls greater than 20 feet will be allowed along Lancaster Highway.
- c. The roofs on the buildings will be constructed utilizing architectural shingles.
- d. Meter banks will be screened from adjoining properties and from Lancaster Highway.
- e. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

5. Streetscape, Buffers, Open Space, Yards and Landscaping:

- a. Along Lancaster Highway a 25 foot setback measured from the back of the future curb will be provided as generally depicted on the Rezoning Plan.
- b. A 10 foot Class C Buffer with a decorative solid six (6) foot fence will be provided along the Site's perimeter as generally depicted on the Rezoning Plan. The trees planted within the Class C buffer will be evergreen trees and will be a minimum of eight (8) feet tall at installation.
- c. The Petitioner has identified on the Rezoning Plan several open space areas as generally depicted on the Rezoning Plan. These open space areas may include existing trees as well as new landscaping. These open space areas will be improved with seating areas landscaping and other features for the residents and tenants of the Site.
- d. Utilities may cross the vegetative screen area at angles no greater than 75 degrees.
- e. The Petitioner will provide a six (6) foot sidewalk and an eight (8) planting strip as along the Site's frontage on Lancaster Highway Road in the manner generally depicted on the Rezoning Plan.
- f. The Petitioner will provide a sidewalk network that connects the buildings on the Site to the sidewalk along Lancaster Highway in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
- g. Screening requirements of the Ordinance will be met.
- h. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

6. Environmental Features:

- a. The Petitioner shall comply with the Mecklenburg County 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.

7. Signage:

- a. Signage as allowed by the Ordinance will be provided.

8. 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, and parking areas.
- b. Detached lighting on the Site will be limited to 15 feet in height.

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.



PROPOSED APARTMENT ELEVATION



PROPOSED OFFICE ELEVATION

Attached to Administrative
Approval

Solomon A. Fortune \$F
Solomon A. Fortune

NOTE: THESE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDINGS THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED IS MAINTAINED).

PETITION #: 2014-001(C)
CITY OF CHARLOTTE